

THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume II, 1936

(17th February to 27th February, 1936)

THIRD SESSION

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,
1936**



NEW DELHI
GOVERNMENT OF INDIA PRESS
1936

Legislative Assembly.

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THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I., KT,

Deputy President :

MR. AKHIL CHANDRA DATTA, M.L.A.

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SIR MUHAMMAD YAMIN KHAN, KT., C.I.E., M.L.A.

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MR. B. DAS, M.L.A.

DR. ZIAUDDIN AHMAD, C.I.E., M.L.A.

MR. M. S. ANEY, M.L.A.

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LEGISLATIVE ASSEMBLY.

Monday, 11th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBERS SWORN.

Mr. Arthur Eric Tylden-Pattenson, M.L.A. (Government of India: Nominated Official); and

Mr. Frank D'Souza, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

GRIEVANCES OF INDIANS IN FIJI REGARDING FRANCHISE AND LAND TENURE.

497. ***Mr. G. N. Muthuranga Mudaliar:** (a) Have Government received a communication in July last from the Secretary of the Imperial Indian Citizenship Association, Bombay, pointing out the grievances of Fiji Indians regarding franchise and land tenure?

(b) Is it a fact that the last mission on behalf of the Government of India was sent out to Fiji in 1922?

(c) Are Government considering the advisability of sending out a mission of enquiry to Fiji to draw up a report on the position of Indians and then making such recommendations as may appear expedient in the light of the report of the commission?

Sir Girja Shankar Bajpai: (a) and (b). Yes.

(c) I would refer the Honourable Member to the reply given by me on the 6th September, 1935, to his starred question No. 183.

Mr. T. S. Avinashilingam Chettiar: Are Government aware of today's news in the *Hindustan Times* that a Bill has been passed in the Fiji Council approving nomination instead of election?

Sir Girja Shankar Bajpai: No, Sir: I have not read that message in the morning papers, and I do not know what my Honourable friend is referring to.

Mr. C. N. Muthuranga Mudaliar: Is it not a fact that the Fiji Legislative Council has just passed legislation replacing election by nomination, and what do Government propose to do in the matter?

Sir Girja Shankar Bajpai: I am quite sure that the Fiji Legislative Council could not have passed any such Bill, because the constitution of the Council is incorporated in an Order-in-Council of His Majesty the King.

Mr. T. S. Avinashilingam Chettiar: In what stage is this question of nomination instead of election?

Sir Girja Shankar Bajpai: I answered that only a few days ago: the position is that there have been a couple of resolutions passed on that subject by the Fiji Legislative Council, and the matter is under consideration by His Majesty's Government.

Mr. Lalchand Navalrai: May I know if the Government of India have been consulted before any legislation or action against Indians is taken?

Sir Girja Shankar Bajpai: That question also I have answered, *viz.*, that first in October and secondly in December last year, the Government of India expressed their opinion to His Majesty's Government against the substitution of nomination for election.

POSITION OF INDIANS IN KENYA.

498. ***Mr. C. N. Muthuranga Mudaliar:** (a) Are Government aware that recently white settlers of Kenya have organized a "Colonists Vigilance Committee" to agitate for the reservation of highlands to the Europeans and generally to look after their interests in the colony?

(b) Will the Government of India watch the situation and are they prepared to make prompt and timely protests against any changes in the administrative policy or the system of Government in Kenya which are likely to jeopardise the position of Indians in Kenya?

Sir Girja Shankar Bajpai: (a) and (b). Yes, Sir.

STOPPAGE OF THE USE OF NARROW BENCHES ON THE SOUTH INDIAN RAILWAY.

499. ***Mr. C. N. Muthuranga Mudaliar:** With reference to the previous questions on the subject will Government say if they have addressed the South Indian Railway on the subject of third class carriages on the metre gauge lines with a view to stop carriages with short and narrow benches from being used on any but the suburban trains? If so, have Government received any reply from that Railway? Will Government please place the relevant correspondence on the table?

The Honourable Sir Muhammad Zafrullah Khan: No. The Honourable Member's attention is drawn to the information laid on the table of the House in connection with part (c) of unstarred question No. 296 asked by the Honourable Member on the 3rd April, 1935. The South Indian Railway Administration is fully aware of the desirability of excluding from use on long distance trains carriages having the type of seat referred to by the Honourable Member, but due to the high proportion of carriages so fitted, it will not be possible for some years to come to limit the use of such carriages to suburban services only.

Mr. C. N. Muthuranga Mudaliar: Are Government aware that in such carriages, carrying 60 passengers and more, there is not even one latrine?

The Honourable Sir Muhammad Zafrullah Khan: I am not specifically aware of that; but, as my reply indicates, the South Indian Railway administration recognise that the use of such carriages on long distance trains is inconvenient to passengers.

Mr. C. N. Muthuranga Mudaliar: In trains running between Villupuram and Vellore, will Government advise the South Indian Railway to arrange for latrines in such carriages?

The Honourable Sir Muhammad Zafrullah Khan: I will bring that to the notice of the South Indian Railway authorities.

Mr. Lalchand Navalrai: May I know if the Company-managed Railways have also been advised to adopt the new type of third class carriages that Government are thinking of introducing on the State Railways?

The Honourable Sir Muhammad Zafrullah Khan: Government have not come to any decision yet, and it will arise at a subsequent stage.

Mr. M. S. Aney: Will the Honourable Member say when the fact of the recognition of this inconvenience by the South Indian Railway came to the notice of the Railway Board for the first time?

The Honourable Sir Muhammad Zafrullah Khan: I have already referred to a previous question and to its reply last year.

Prof. N. G. Ranga: Are any steps being taken by the Company to restrict the use of such carriages?

The Honourable Sir Muhammad Zafrullah Khan: I have already said that they are trying to restrict the use of such carriages to trains which have not to go very long distances, but, owing to the very large number of carriages of this type, the improvement will be gradual.

Mr. Lalchand Navalrai: May I know when the Central Advisory Council for Railways is going to meet to inspect the new type of third class carriage and to sanction it?

The Honourable Sir Muhammad Zafrullah Khan: I think they are meeting at the end of this week, but I am not quite sure.

INTRODUCTION OF NEW TYPE OF THIRD CLASS CARRIAGES.

500. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government say when they propose to introduce the new type of third class carriages about which a communiqué was recently issued?

(b) How many carriages do they propose to manufacture in the first instance or do they propose to convert the old type carriages into the new type?

(c) Do Government realise the urgent necessity of introducing the new type of third class carriages on all the main railway lines and do they propose to consider the advisability in this connection of running more trains to relieve congestion, wherever it may exist?

The Honourable Sir Muhammad Zafrullah Khan: (a) The design of the improved third class carriage is still under consideration.

(b) and (c). The construction of third class carriages to the proposed new design depends on the renewal programmes of individual Railways, financial conditions and the traffic offering. It is not, therefore, possible to state the number of such carriages that will be placed on the line in the near future.

Seth Govind Das: Will this consideration ever come to an end?

Mr. President (The Honourable Sir Abdur Rahim): Order, order.

Mr. C. N. Muthuranga Mudaliar: May I ask whether the idea of introducing this new design of carriages has been abandoned?

The Honourable Sir Muhammad Zafrullah Khan: I have already stated that the carriage has yet to be seen by the Central Advisory Council for Railways.

DELAY IN THE GRANT OF OCCUPATION CERTIFICATES FOR PRIVATE HOUSES IN NEW DELHI.

501. ***Mr. C. N. Muthuranga Mudaliar:** (a) Are Government aware that there is undue delay in the grant of occupation certificates for private houses completed in New Delhi?

(b) Will Government lay on the table a statement showing the number of houses completed during the last summer (April to October 1935) for which occupation certificates were applied for and for which such certificates have not been issued?

(c) Are Government aware that there is a strong feeling among private landlords in New Delhi that the issue of such certificates is wantonly delayed in the municipal office and if so, do Government propose to take steps to remedy this state of affairs and issue orders that certificates should be issued promptly in all cases where there is no objection to such occupation?

(d) Will Government state if such occupation certificates are necessary in the case of buildings constructed by the Public Works Department, and if so, whether there is any delay in the municipal office in the issue of such certificates?

Sir Girja Shankar Bajpai: (a) No.

(b) There are no such houses.

(c) and (d). Occupation certificates are not necessary in respect of buildings constructed by the Public Works Department. In other cases they are controlled by the Secretary to the Chief Commissioner, Delhi, and not by the New Delhi Municipal Office.

Mr. C. N. Muthuranga Mudaliar: May I know whether it is not a fact that notices were issued to houses which were already in occupation to vacate them?

Sir Girja Shankar Bajpai: I have no information to that effect.

Mr. C. N. Muthuranga Mudaliar: Will Government obtain that information?

Sir Girja Shankar Bajpai: If the Honourable Member will be so good as to supply me with the information on which he bases his question, I shall look into the matter.

IMPROVEMENT OF THE SANITARY CONDITION OF DELHI AND NEW DELHI.

502. ***Mr. C. N. Muthuranga Mudaliar:** (a) Are Government aware that the insanitary and congested conditions of the town of Delhi and of the areas surrounding it are responsible for a lot of infection and disease in New Delhi?

(b) What steps are Government taking to clean up the slum areas in Pahargunj and the areas lying north of New Delhi?

(c) What steps are Government taking to clean up the slums in the City of Delhi itself and to relieve congestion in the more thickly populated areas in the City?

(d) Will Government state if there was a plan at any time to extend the present Minto Road into the Delhi City proper and if so, whether that plan has been abandoned?

(e) Will Government lay on the table a comprehensive statement showing the steps they propose to take in order to make the City of Delhi cleaner and more sanitary and less of a breeding ground for all kinds of disease which spread both to New Delhi on the one side and the Notified Area and the Civil Lines on the other?

Sir Girja Shankar Bajpai: (a) . (b), (c) and (e). I would invite the attention of the Honourable Member to my reply to Mr. Asaf Ali's question No. 305 asked on the 12th September, 1935.

(d) There was such an idea but it has had to be held in abeyance for a variety of reasons.

Mr. C. N. Muthuranga Mudaliar: What is the progress made since then?

Sir Girja Shankar Bajpai: The only progress made since then is that an officer has been placed on special duty to inquire into the whole question of congestion in Old Delhi.

Mr. Lalchand Navalrai: May I know what is the main reason,—apart from the variety the Honourable Member referred to?

Sir Girja Shankar Bajpai: The main reason is the reason of expense.

REDUCTION OF FARES AND FREIGHTS ON CERTAIN RAILWAYS.

503. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government please state if there has been any recent reduction of fares on the following Railways?

- (i) South Indian;
- (ii) Great Indian Peninsula,
- (iii) East Indian;
- (iv) North Western;
- (v) Madras and Southern Mahratta;
- (vi) Bombay, Baroda and Central India; and
- (vii) Bengal Nagpur?

(b) Will Government say how the present fares on these Railways, for the various classes, first, second and third, compare with those in existence before 1914?

(c) Will Government say what has been the percentage of increase or decrease in the traffic, goods and passengers, handled in 1913 and 1934, per mile, on the above Railways?

(d) Have Government considered the desirability of impressing upon the above Railways the urgent necessity of reducing passenger fares, especially third class fares, and freights for agricultural produce? If so, will Government please place relevant papers on the table?

The Honourable Sir Muhammad Zafrullah Khan: (a) No reduction has been made within the last twelve months in the basis of fares generally applicable.

(b) and (c). Two statements are placed on the table giving the information required.

(d) Under instructions from the Government, each Railway Administration has been examining its position within recent months with a view to considering the measures which should be taken to increase its net revenue.

Statement showing number of passengers and tons carried per route mile on selected railways during the financial years 1913-14 and 1934-35 and percentage variations in the figures for the two years.

| Railway. | 1913-14. | | 1934-35. | | Percentage increase (+) or decrease (—) in 1934-35 as compared with 1913-14. | |
|------------------------------------|--|--|--|--|--|------------------------------|
| | Number of passengers carried per route mile. | Number of tons carried per route mile. | Number of passengers carried per route mile. | Number of tons carried per route mile. | Passengers carried per route mile. | Tons carried per route mile. |
| South Indian . | 26,923 | 1,852 | 23,498 | 2,169 | —12·7 | +17·1 |
| Great Indian Peninsula . | 12,485 | 3,300 | 13,637 | 2,748 | +9·23 | —16·7 |
| East Indian . | 14,359 | 4,665 | 13,474 | 5,413 | —6·16 | +16·0 |
| North-Western . | 11,848 | 2,373 | 9,529 | 1,876 | —19·6 | —20·9 |
| Madras and Southern Mahratta . | 11,455 | 1,319 | 9,658 | 1,919 | —15·7 | +45·5 |
| Bombay, Baroda and Central India . | 18,466 | 1,965 | 22,517 | 2,411 | +21·9 | +22·7 |
| Bengal Nagpur . | 6,351 | 2,682 | 5,717 | 4,653 | —9·98 | +73·5 |

Statement showing the bases of passenger

| Railway. | 1st Class. | | | | 2nd | |
|--|--|----------|---|----------------|---|--------------|
| | 1913. | | 1934. | | 1913. | |
| | Miles. | Pies. | Miles. | Pies. | Miles. | Pies. |
| Bengal Nagpur. | 1—300 . . Additional distance over 300 miles. | 18 12 | 1—300 . . Additional distance over 300 miles. | 24 18 | 1—300 . . Additional distance over 300 miles. | 8 6. |
| Bombay, Baroda and Central India. | 1—300 . . Additional distance over 300 miles. | 18 12 | 1—150 . . Additional distance over 150 miles. | 24 18 | Broad Gauge and Metre Gauge— 1—300 . . Additional distance over 300 miles. Narrow Gauge— All distances . | 9 6. 9 |
| East Indian. | 1—300 . . Additional distance over 300 miles. | 18 12 | 1—100 . . 101—300 . . Additional distance over 300 miles. | 24 20 13 | 1—300 . . Additional distance over 300 miles. | 9 6. |
| Great Indian Peninsula. | 1—300 . . Additional distance over 300 miles. | 18 12 | 1—150 . . Additional distance over 150 miles. | 24 18 | 1—300 . . Additional distance over 300 miles. | 9 6. |
| Madras and Southern Mahratta. | 1—300 . . Additional distance over 300 miles. | 18 12 | All distances . | 24 | 1—300 . . Additional distance over 300 miles. | 9 6. |

QUESTIONS AND ANSWERS.

fares per mile in force in 1913 and 1931.

| Class. | | 3rd Class. | | | |
|--|----------------|---|------------------------------------|---|---|
| 1934. | | 1913. | | 1934. | |
| Miles. | Pies. | Miles. | Pies. | Miles. | Pies. |
| 1—300 . . . Additional distance over 300 miles. | 12 9 | (i) Mail— All distances . . . (ii) Ordinary— 1—200 . . . Additional distance over 200 miles. | 3 2½ 2 | (i) Mail and Express— 1—300 . . . Additional distance over 300 miles . . . (ii) Ordinary— 1—300 . . . Additional distance over 300 miles. | 4½ 3½ 3½ 2½ |
| Broad Gauge and Metre Gauge— 1—150 . . . Additional distance over 150 miles. Narrow Gauge— All distances . . . | 12 9 18 | (i) Mail— 1—300 . . . Additional distance over 300 miles. (ii) Ordinary— Broad Gauge— 1—200 . . . Additional distance over 200 miles. Metre Gauge— 1—200 . . . Additional distance over 200 miles. Narrow Gauge— (All trains) All distances . . . | 3 2 2½ 1½ 2 1½ 3 | (i) Mail— 1—50 . . . 51—200 . . . 201—300 . . . Additional distance over 300 miles. (ii) Ordinary— Broad Gauge and Metre Gauge— 1—50 . . . 51—200 . . . 201—300 . . . Additional distance over 300 miles. Narrow Gauge— (All trains) All distances . . . | 4½ 4 3½ 3 3½ 3½ 3 2½ 4½ |
| 1—100 . . . 101—300 . . . Additional distance over 300 miles. | 12 10 6½ | 1—100 . . . 101—300 . . . Additional distance over 300 miles. | 2½ 2 1½ | 1—50 . . . 51—300 . . . Additional distance over 300 miles. | 3½ 2½ 1½ |
| 1—150 . . . Additional distance over 150 miles | 12 9 | (i) Mail— All distances . . . (ii) Ordinary— 1—300 . . . Additional distance over 300 miles. | 3 2½ 2 | (i) Mail and Express— 1—50 . . . Additional distance over 50 miles. (ii) Ordinary— 1—50 . . . Additional distance over 50 miles . . . (iii) All trains— 1—50 . . . Additional distance over 50 miles. | 5 3 4 3 4 3 |
| All distances . . . | 12 | (i) Mail— All distances . . . (ii) Ordinary— All distances . . . (Do. North East line. Do. West of India Portuguese Railway. | 2½ 2 2½ 2½ | (i) Mail— 1—50 . . . 51—250 . . . Additional distance over 250 miles. (ii) Ordinary— 1—50 . . . 51—150 . . . 151—250 . . . Additional distance over 250 miles. | 4½ 4 3½ 4 3½ 3 2½ |

In local booking.
In through booking.

| Railways. | 1st Class. | | | | 2nd | |
|----------------------|--|----------|---|----------|--|--------|
| | 1913, | | 1934, | | 1913. | |
| | Miles. | Pies. | Miles. | Pies. | Miles. | Pies. |
| North Western | 1—300 . . Additional dis- tance over 300 miles. | 18 12 | 1—150 . . Additional dis- tance over 150 miles. | 24 18 | 1—300 . . Additional dis- tance over 300 miles. | 9 6 |
| S o u t h Indian. | All distances . . | 12 | 1—150 . . Additional (dis- tance over 150 miles. | 18 15 | All distances . . | 6 |

| Class. | | 3rd Class. | | | |
|--|------------------|--|---|--|------------------------------|
| 1934. | | 1913. | | 1934. | |
| Miles. | Pics. | Miles. | Pics. | Miles. | Pics. |
| 1—150 Additional distance over 150 miles. | 12 9 | All distances | 2½ | 1—50 51—300 Additional distance over 300 miles. | 3 2½ 2½ |
| (i) Mail— 1—150 Additional distance over 150 miles. (ii) Ordinary— All distances | 12 9 9 | Mail— Broad gauge— East of Podanur } *(including Tirupattur-Krishnagiri and Morappur-Hosur Railways and Mettupalaiyam Branch.) } Broad gauge— West of Podanur excluding Shoranur-Cochin Railway. } *Shoranur-Cochin Railway. } Metre Gauge.—Boat Mail 2½ pies 1st 50 miles. Broad Gauge } 2 pies 51 to 200 miles. and Metre Gauge } 1½ pies additional distance. Ordinary— Broad Gauge.—All Sections excluding Shoranur-Cochin, Tirupattur-Krishnagiri and Morappur-Hosur Railways. } *Shoranur-Cochin, Tirupattur-Krishnagiri and Morappur-Hosur Railways. } Metre Gauge.—2½ to 2 pies 1st 50 miles. Broad Gauge } 2 pies 51—200 miles. and Metre Gauge } 1½ pies additional distance. | 2½ 2½ 2 1st 50 miles. 2 pies 1st 50 miles. 2½ pies 1st 50 miles. 2 pies 1st 50 miles. 2½ pies 1st 50 miles. 2 pies 1st 50 miles. 2½ pies 1st 50 miles. 2 pies 1st 50 miles. 2½ pies 1st 50 miles. 2 pies 1st 50 miles. 2½ pies 1st 50 miles. | (i) Mail— 1—300 Additional distance over 300 miles. (ii) Ordinary— 1—150 151—300 Additional distance over 300 miles. | 4 3½ 3½ 3 2½ |

*From 1st July 1913 to 31st January 1917 the basis of fares over Tirupattur-Krishnagiri, Morappur-Hosur and Shoranur-Cochin Railways were reduced from 2½ to 2 pies a mile.

Mr. Lalchand Navalrai: Are Government aware that instead of reducing the fares of third class, for some distances, they have been increased?

The Honourable Sir Muhammad Zafrullah Khan: I believe so, slightly on the North Western Railway and Burma Railways.

Mr. Lalchand Navalrai: What are the reasons?

Mr. C. N. Muthuranga Mudaliar: Are Government aware that the fares on the Madras and Southern Mahratta Railway are higher than on other lines?

The Honourable Sir Muhammad Zafrullah Khan: I believe so, generally.

Dr. T. S. S. Rajan: Are Government aware that the fares for first and second class have been increased over the South Indian Railway since the 1st of January?

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Mr. T. S. Avinashilingam Chettiar: Has the increase in fares produced increased earnings in consequence?

The Honourable Sir Muhammad Zafrullah Khan: We expect so.

Dr. Ziauddin Ahmad: Is it not a fact that the fares for short distances per mile are greater than the fares for long distances, and is that not the reason why the traffic is diverted from the railways to the roads?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir. Whenever that tendency manifests itself, the Railways take steps to co-ordinate the railway fares so as to be able to compete with road traffic.

Mr. Lalchand Navalrai: Is there no such tendency in Sind, so that Government should come forward to take such action as would correct that tendency?

The Honourable Sir Muhammad Zafrullah Khan: I said that Railways do take action whenever there is such a tendency.

Mr. Lalchand Navalrai: Is not competition very keen in Sind between rail and road?

The Honourable Sir Muhammad Zafrullah Khan: If there is, I am sure, the Railways will take the necessary action.

Mr. Lalchand Navalrai: Have the other railways ever thought of it?

The Honourable Sir Muhammad Zafrullah Khan: Oh! Yes. Most certainly, as I said in my previous answer.

TITLES AND DECORATIONS CONFERRED ON INDIANS.

504. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government please lay on the table the names of the various titles and decorations conferred by His Majesty the King or by the Viceroy of India on Indian subjects of His Majesty?

(b) Will Government please state how many persons, including chaprasis, clerks and others, are employed in this work permanently or temporarily under the Government of India?

(c) Will Government please state what is the average cost per year incurred in the grant of (i) Indian titles and (ii) English titles including the cost of establishment, the cost of medals and certificates, etc.?

(d) Will Government please lay on the table a statement showing the number of titles withdrawn during the last ten years from those upon whom such titles had been conferred?

Sir Aubrey Metcalfe: (a) Two lists are laid on the table.

(b) No establishment is employed under the Government of India exclusively for work in connection with honours and titles.

(c) In view of (b) it is not possible to give an approximate estimate.

(d) A statement is laid on the table.

I.

List of Orders, Decorations and Medals which have been conferred by His Majesty the King Emperor on Indian Subjects.

Victoria Cross.
 Order of the Bath.
 Order of the Star of India.
 Order of the Indian Empire.
 Order of the Crown of India.
 Royal Victorian Order.
 Order of the British Empire
 Order of the Companions of Honour.
 Distinguished Service Order.
 Imperial Service Order.
 Royal Red Cross.
 Distinguished Service Cross
 Military Cross.
 Order of British India.
 Indian Order of Merit.
 Kaisar-i-Hind Medal.
 Albert Medal.
 Indian Distinguished Service Medal.
 Edward Medal.
 King's Police Medal.
 Medal of the Order of the British Empire.
 Long Service and Good Conduct Medal.
 Meritorious Service Medal.
 Efficiency Decoration.
 Efficiency Medal.
 The King's Medal (for Champion Shots in the Military Forces)
 Royal Victorian Medal (Gold and Silver).
 Imperial Service Medal.
 Royal Victorian Medal (Bronze)

II.

List of titles and medals which are conferred by His Excellency the Viceroy on Indian Subjects.

Maharajadhiraja.
 Maharaja Bahadur.
 Maharaja.
 Maharani.
 Nawab Bahadur.
 Raja Bahadur.
 Nawab.
 Raja.
 Begum.
 Rani.
 Shams-ul-Ulama.
 Mahamahopadhyaya.
 Aggamahapandita.
 Hazik-ul-Mulk.
 Diwan Bahadur.
 Sardar Bahadur.
 Khan Bahadur.
 Rai Bahadur.
 Rao Bahadur.
 Shifa-ul-Mulk.
 Vaidyaratna.
 Chikitsakratua.
 Sardar Sahib.
 Khan Sahib.
 Rai Sahib.
 Rao Sahib.
 Kyet thaye zaung shwe Salwe ya Min.
 Thuye Gaung ngwe Da ya Min.
 Ahmadun-gaung Tazeik-ya-Min.
 Taung kyo Pyi kyo Saung.
 Indian Police Medal.
 Viceroy's Medal.

Statement showing the number of titles withdrawn during 1926 to 1935.

| Year. | No. of titles withdrawn. |
|-----------------|-----------------------------|
| 1926 | 1 |
| 1927 | 2 |
| 1928 | .. |
| 1929 | 1 |
| 1930 | .. |
| 1931 | 1 |
| 1932 | .. |
| 1933 | 2 |
| 1934 | 2 |
| 1935 | 2 |
| Total | 11 |

Mr. C. N. Muthuranga Mudaliar: What is the cost to Government of preparing these medals and certificates?

Sir Aubrey Metcalfe: It is quite impossible to give even an approximate estimate of the cost, because the accounts are not kept separately.

ESTABLISHMENT OF THE COFFEE CESS COMMITTEE.

505. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state if the newly formed Coffee Cess Committee has begun to function? If so, will Government lay on the table a statement containing a list of the officers and others employed by the Committee, and state how many of them are Europeans and Anglo-Indians and Indians?

(b) Do Government propose to see to it that the establishment and officers consist entirely of Indians and not as in the case of the Tea Cess Committee mostly of Europeans and Anglo-Indians in the higher grades and Indians for the low paid posts?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes. I lay on the table a statement showing the staff of the Indian Coffee Cess Committee, which consists of one European and six Indians.

(b) No. The Committee will generally have the power to appoint its own staff. The desirability of appointing Indians as far as possible will, however, be brought to the notice of the Committee.

Statement showing the existing staff of the Indian Coffee Cess Committee.

| Post. | Name of person holding it. | Nationality. |
|---|-------------------------------|--------------|
| Secretary to the Committee. | Mr. A. M. Webb . . . | European. |
| Assistant Marketing Officer for Coffee. | Mr. M. Gopal Menon . . . | Indian. |
| Chief Clerk . . . | Mr. Rama Rao . . . | Indian. |
| Propagandist . . . | Mr. C. V. Krishnamurthy . . . | Indian. |
| Stenographer . . . | Mr. K. Rama Swamiyengar . . . | Indian. |
| Ditto . . . | Mr. C. V. Subramanyam . . . | Indian. |
| Peon . . . | Joseph s/o Arokswamy . . . | Indian. |

Mr. C. N. Muthuranga Mudaliar: What is the name of the Officer and what are his qualifications?

The Honourable Sir Muhammad Zafrullah Khan: The name of the Officer is Mr. A. M. Webb and as regards his qualifications, I would require notice.

Mr. C. N. Muthuranga Mudaliar: What is his salary?

The Honourable Sir Muhammad Zafrullah Khan: Rs. 450.

Mr. Lalchand Navalrai: Is it the policy of this Committee to increase the consumption of coffee instead of tea?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

ADVERTISEMENT IN THE *LEATHER TRADES' REVIEW* OF LONDON BY THE
DIRECTOR OF CONTRACTS, ARMY HEADQUARTERS.

506. ***Mr. C. N. Muthuranga Mudaliar:** (a) Is it a fact that the following advertisement appeared in the *Leather Trades' Review* of London under date October 16, 1935:

"The Director of Contracts, Army Headquarters, Simla, invites tenders for
60,900 soles, hoot, half plain, etc.

Forms of tender obtainable from the Director General, India Store Department, Belvedere Road, Lambeth, London, S. E. 1, at a fee of 5s. which will not be returned.

Tenders must provide for delivery of the stores in India and for the payment in India in rupees. Any tender which does not comply with these conditions will not be considered.

Tenders must be sent direct to the Director of Contracts, A. H. Q., Simla to reach him not later than November 11, 1935."

If so, will Government state the necessity of their advertising in London for the above articles?

(b) Was this advertisement made in India and tenders invited from Indian companies in India for these articles?

(c) Was any effort made to get these articles through the Indian Stores Department, and if so, what was the result? If not, why not?

(d) Will Government say what the total cost of the articles contained in this tender amounted to?

(e) Will Government say what are the articles obtained through the Director General, India Store Department, as distinct from the High Commissioner for India?

(f) Will Government lay on the table a list of the articles for the army, navy or air force for which the Director of Contracts, Army Headquarters, advertises only in England and not in India?

(g) Will Government say if any of such articles are in use in other departments of Government and if so, whether such articles are obtained in India directly or through the Indian Stores Department in Delhi and Simla?

(h) In the case of any such articles as are referred to in (i) above, will Government please lay on the table a comparative statement of the prices paid for such articles?

(i) Will Government say if the articles advertised for in (a) were required for (i) European officers, (ii) Indian officers, (iii) European soldiers, rank and file, (iv) Indian sepoys and non-commissioned officers?

(j) Will Government please lay on the table a copy of the tender referred to in the advertisement in (a) above?

Mr. G. R. F. Tottenham: (a) Yes.

(b) and (c). In accordance with the procedure provided for in the Stores Purchase Rules tenders were invited simultaneously in England and India. Tenders in England are advertised by the Director-General, India Stores Department, on behalf of the Director of Contracts. The order in question was actually placed with an Indian firm.

(d) Approximately Rs. 38,000.

(e) and (f). There are none.

(g) and (h). Do not arise.

(i) The articles were required for all the classes of personnel enumerated.

(j) A copy of the forms of tender is laid on the table.

ORIGINAL TO BE SUBMITTED IN INDIA.

D. O. 3027.

Tenders must be forwarded direct to the Director of Contracts, Army Headquarters, India, Simla,, by Registered Post, superscribed "Tender No. P/O-258, due 11th November 1935."

ADVERTISED TENDER.

This Form is not valid for tendering unless bearing a numbered official label.

STORES AS PER SCHEDULE ANNEXED

The following particulars must be filled in by tenderer.

Maker's name

Country of manufacture

Name and address of Agent in India

Name and address of Banker in India

Telegraphic address of tenderer

We hereby offer to supply the stores or such portion thereof as the Director of Contracts, Army Headquarters, India, Simla, may determine, at the price shown in the schedule.

The stores will be manufactured in (the United Kingdom, British Dominions or Colonies or Foreign Country) England and in that respect will comply with the provisions of the Indian Tariff Acts now in force and with any relevant rules promulgated by the Government of India. We will, if required, furnish a certificate of value and origin with each delivery.

We also undertake to hold our offer open for the period shown in the schedule.

The stores will be delivered C. I. F. Indian Ports within.....weeks of the receipt of notification that this tender has been accepted.

Signature of Tenderer

Address

GO 1497.
INDIA STORE DEPT.
ADVERTISED TENDER
FEE 5/- PAID.

Date

Certified true copy.

R. P. BANNERMAN.
for Director of Contracts.

OFFICE OF THE HIGH COMMISSIONER FOR INDIA.

D. O. No. 3027.

Distribution list for stores for Ordnance Arsenal and Depots.

| Item No. | 1 | 2 | 3 | 0428/1. | 0428/2. |
|------------------------|-------|--------|--------|---------|---------|
| No. or quantity | Prs. | Prs. | Prs. | Prs. | Prs. |
| Quetta Arsenal, Q | .. | 2,000 | 3,000 | 450 | 300 |
| Karachi. | | | | | |
| Ordnance Depot, L. D. | 3,900 | 12,000 | 12,000 | 2,400 | 1,800 |
| Lahore, Karachi. | | | | | |
| Kirkos Arsenal, K. A. | 100 | 3,000 | 6,000 | 200 | 1,000 |
| Bombay. | | | | | |
| Arsenal, Rangoon R. A. | 300 | 600 | 600 | 30 | .. |
| Ordnance Depot, C. A. | 1,600 | 7,400 | 8,400 | 1,400 | 900 |
| Calcutta. | | | | | |

Certified true copy.

R. P. BANNERMAN.
for Director of Contracts.

OFFICE OF THE HIGH COMMISSIONER FOR INDIA

(India Store Department, London).

SPECIFICATION.

(APPROVED JUNE 1934).

(Based on Specification No. I. B 35).

Soles, Leather, Half, Plain-Lifts : Tip Fillings.

1. To be of good quality, tanned from best slaughtered hides, of good colour, cleanly fleshed, well dried and free from impurities or other matter not required in the preparation of leather of the best quality.

2. *Half Soles* to be cut from good quality vegetable tanned butts or bends, substance 11 iron, and supplied in pairs pinned together half an inch down from the toe.

3. *Lifts and Tip Fillings* may be cut from vegetable tanned sole leathers, or good shoulders, substance—lifts 8 iron, tip fillings 9 iron.

4. Manufacturers will, when requested, submit for analysis samples of the materials to be used.

For half soles samples must be cut from a prime part of the bend at least 12 inches from the root of the tail; more than 25 per cent. of total solubles will not be accepted, whatever their composition.

5. The size, together with the Contractor's initials and the month and year of delivery, to be clearly stamped on each article with a 3/8 in. metal stamp; *c.g.*

3
C.A.
6-34

Certified true copy.

R. P. BANNERMAN.
for Director of Contracts.

| Schedule. (Prices to be quoted in rupees). | Pattern Number. | Quantity required. | Prices. | |
|---|--------------------|-----------------------|----------------------------------|-----------|
| | | | Rate. | Amount. |
| D. O. 3027. | | | Delivery c.i.f. Indian Ports. | |
| S. 3809/35. | | Pairs. | Rs. | Rs. A. P. |
| <i>Tender No. P/O-258.</i> | | | | |
| 1. Soles, Half, Plain, No. 1. . . . | 3447/1 | 2,950 | .. | .. |
| 2. Soles, Half, Plain, No. 2. . . . | 3447/2 | 12,500 | .. | .. |
| 3. Soles, Half, Plain, No. 3. . . . | 3447/3 | 15,000 | .. | .. |

Items 1, 2 and 3 also to India Store Department Drawing No. 2488 which is annexed to the retention copy of the tender form.

| | | | | |
|--------------------------------|----|-------|----|----|
| 0428/1. Tip Fillings :— | | | | |
| Size, 2-7/8-in. | .. | 4,500 | .. | .. |
| 0428/2 Size, 3-1/4-in. | .. | 4,000 | .. | .. |

Items 0428/1 and 0428/2 to I. S. D. Drawing No. 2729.

Drawing No. 2729 is also annexed to the retention copy of tender form.

As per specification annexed.

The specification must not be detached.

NOTE.—Quotations are to remain open for acceptance for a period of 30 days from the date fixed for the receipt of tenders.

The stores are required in India in April 1936.

Addresses as per Distribution List annexed.

Certified true copy.

R. P. BANNERMAN.
for Director of Contracts.

OFFICE OF THE HIGH COMMISSIONER FOR INDIA.

INDIA STORE DEPARTMENT.

Extract from Form No. 3 (Miscellaneous Stores).

Conditions of Contract.

1. (a) The whole Contract is to be executed in the most approved, substantial, and workmanlike manner, to the entire satisfaction of the Director of Inspection, India Store Department, Belvedere Road, Lambeth, who, both personally and by his deputies, shall have full power, at every stage of progress, to inspect the stores, at such times as he may deem fit, and to reject any of the stores of which he may disapprove; and his decision thereon, and on any question of the true intent and the meaning of the specification, shall be final and conclusive.

(b) The markings of all goods supplied must comply with the requirements of the Indian Acts relating to Merchandise Marks and of the rules made under such acts.

(c) The contractor shall provide, without extra charge, all materials, tools, labour, and assistance of every kind which the Director of Inspection, India Store Department, may consider necessary for any tests and examinations which he shall require to be made on the Contractor's premises, and shall pay all costs, attendant thereon.

The Contractor shall also provide and deliver, free of charge, at such place as the Director of Inspection, India Store Department, may direct, such materials as he may require for test by chemical analysis or independent testing machine. The cost of any such tests will be defrayed by the Secretary of State for India in Council, unless it be stated in the specification that it is to be paid by the Contractors.

(d) No stores will be considered ready for delivery in accordance with the terms of the letter of Tender until the Director of Inspection, India Store Department, shall have certified in writing that they have been inspected and approved by him.

(e) When Pattern Numbers are inserted in the Schedule or Specification attached to the Tender, Patterns of the Articles required may be seen at the India Store Department, Belvedere Road, Lambeth, S. E. 1, and should be examined by a competent person (who should take this form with him), before the Tender is sent in, and they may afterwards be examined, if desired, before sending in samples for approval, or at any other time during the execution of the Contract. The Contractor will be liable to all consequences of his insufficient examination of the Patterns. As a rule Patterns cannot be lent. Should they, however, be lent, the Contractor will be held responsible for their return, in perfect order, upon demand, with the Labels Intact. And in the event of failure so to return them the Contractor will be held liable forthwith to pay to the Secretary of State in Council, as liquidated damages, either (at the option of the Secretary of State in Council) the sum of £2, or three-times the value of such patterns, as declared by the Secretary of State in Council.

2. The Contractor is to state in the annexed form of Tender his prices for the stores delivered Indian Port, or delivered F. O. R. Indian Port as the case may be, and such prices are to include all cost of stamping, painting, marking, protection, or preservation, and any claim whatsoever that may arise from the manufacture, or packing, or delivery of the Stores, in accordance with these conditions and the specification. The prices stated in the Tender are also to include all rights (if any) of patent registered design or Trade Mark, and the Contractor shall indemnify the Secretary of State in Council against all claims in respect of the same.

3. The Contractor shall, if required by the Director of Inspection, India Store Department, weigh the whole, or any part, of the stores in his presence, and the Contractor shall only be paid for the net quantities or weights of the articles delivered, no allowance being made for wrappers, bags, binders, etc., required for safe packing, notwithstanding any custom of trade, if such there be.

4. Such number of inspection certificates, advise notes, packing accounts, and invoices as may be required by the Director General, India Store Department, shall be furnished by and at the cost of the Contractor.

Certified true copy.

R. P. BANNERMAN.
for Director of Contracts.

Mr. G. N. Muthuranga Mudaliar: What is the answer to the second part of (a)?

Mr. G. R. F. Tottenham: The answer was that it was in accordance with the procedure provided for in the Stores Purchase Rules.

PERMANENT NON-PENSIONABLE CLERICAL ESTABLISHMENT IN ORDNANCE FACTORIES.

507. ***Mr. Amarendra Nath Chattopadhyaya:** Is it a fact that Ordnance Factories maintain a permanent but non-pensionable clerical establishment, and if so, will Government please state:

- (a) what the ratio in number of these clerks is with that of permanent pensionable establishment;
- (b) whether any other Department under the Government of India maintain such permanent but non-pensionable clerical establishments, and if so, where they are;
- (c) what provision is made for these non-pensionable clerks at their retirement; and
- (d) what reasons are there to debar them from the benefit of pension or Provident Fund with Government contributions?

Mr. G. R. F. Tottenham: Yes.

(a) 187 non-pensionable to 141 pensionable clerks.

(b) Such establishments are maintained by the Finance Department in the Security Printing and Railway Audit Departments, by the Railway Department, all of whose permanent subordinate clerical staff (including those employed in State Railways Workshops) are non-pensionable, and by the Industries and Labour Department in the Government of India Presses and the School of Mines, Dhanbad.

(c) and (d). Only a small percentage of the non-pensionable clerical establishment employed in Ordnance Factories retire as non-pensionable clerks; the others are promoted to higher grades, where all their service is counted towards pension. The few cases of men who retire as non-pensionable clerks are considered on their merits and gratuities allowed when merited.

Mr. Amarendra Nath Chattopadhyaya: What is the answer to part (d)?

Mr. G. R. F. Tottenham: I have already replied, but the Honourable Member may await my further answer to the succeeding questions.

PROVIDENT FUND BENEFIT ENJOYED BY CERTAIN STAFF OF ORDNANCE FACTORIES.

508. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the permanent supervising staff of Ordnance Factories get the benefit of Provident Fund with cent per cent. Government contributions?

(b) Is it also a fact that temporary and extra temporary Artificers get the benefit of Provident Fund with 50 per cent. Government contribution?

Mr. G. R. F. Tottenham: (a) and (b). Yes.

Mr. N. M. Joshi: May I ask why Government make a difference between what are known as permanent servants and others? Why do they give cent. per cent. contribution to one class of people and not to others?

Mr. G. R. F. Tottenham: The Provident Fund for the Indian Ordnance Department replaced pensions, whereas the one for the workmen was introduced as a new measure to improve the conditions of service of the temporary employees. It was not in substitution of pensions that were previously granted.

Mr. S. Satyamurti: What is the length of service of these so-called temporary employees?

Mr. G. R. F. Tottenham: I expect it varies. I cannot give an exact answer.

Mr. S. Satyamurti: What is the maximum?

Mr. G. R. F. Tottenham: Some of them go on for 30 years or more.

Mr. S. Satyamurti: Will Government consider the injustice of keeping men, on a so-called temporary basis for 20 years and 30 years, denying to them the privileges which the permanent employees enjoy? Will Government consider the advisability of making their cadre permanent, or make some suitable arrangement whereby they will have all the privileges of permanent employees?

Mr. G. R. F. Tottenham: The persons referred to in these questions are permanent, but non-pensionable; and, as I explained, a majority of them, before they reach the end of their service, do get into a pensionable grade and do receive pension for the whole of their service.

PERMANENT NON-PENSIONABLE CLERKS OF ORDNANCE FACTORIES WHO RETIRED AFTER 1920.

509. ***Mr. Amarendra Nath Chatlopadhyaya:** (1) Will Government be pleased to place on the table a statement showing the:

- (a) names of permanent but non-pensionable clerks of different Ordnance Factories who retired after 1920;
- (b) length of their continuous service; and
- (c) amount of gratuity, if any, given to them?

(2) Will Government be pleased to state whether if such permanent but non-pensionable clerks are promoted to pensionable establishment, their entire service is counted towards pension? If not, what are the reasons therefor?

Mr. G. R. F. Tottenham: (1) A statement giving the information asked for is laid on the table.

(2) The entire service in the permanent but non-pensionable grade is counted towards pension.

Statement.

| Name of Factory. | (a) Name of clerks. | (b) Length of service. | | (c) Amount of gratuity paid. |
|---|-----------------------------|-----------------------------------|------|------------------------------|
| | | Yrs. | Mos. | |
| Metal and Steel Factory, Ishapore. | Mr. H. D. Chakurburttty | 29 | 8 | Rs. A. P. 600 0 0 |
| | Mr. N. C. Ghosh . . | 24 | 0 | 362 8 0 |
| | Mr. D. N. Mukherjee . | 13 | 8 | 285 0 0 |
| | Mr. N. L. Ganguly . . | 15 | 3 | Nil. |
| Gun Carriage Factory, Jubbulpore | Mr. Gulzari Lal . . | 35 | 6 | Nil.* |
| | Mr. R. Muthaswamy . | 34 | 4 | 250 0 0 |
| Ammunition Factory, Kirkee. | Nil. | Nil. | | Nil. |
| Rifle Factory, Ishapore | Mr. B. Sreemani . . | 33 | 7 | 362 8 0* |
| | Mr. N. G. Choudhury . | 16 | 0 | 352 8 0 |
| | Mr. S. C. Banerjee . . | 18 | 0 | 352 8 0 |
| | Mr. A. R. Roy Choudhury | 10 | 7 | 282 8 0 |
| | Mr. M. L. Banerjee . . | 7 | 8 | 119 3 0 |
| | Mr. A. P. Pal . . . | 33 | 7 | 360 0 0 |
| Gun and Shell Factory, Cossipore. | Mr. C. C. Dutt . . . | 15 | 11 | Nil. |
| | Mr. B. N. Ghosh . . . | 18 | 6 | 365 0 0 |
| | Mr. Durga Pershad . . | 36 | 8 | Nil* |
| Harness and Saddlery Factory, Cawnpore. | Mr. Yusuf Khan . . . | 40 | 0 | .. |
| | Nil. | (about) Case under consideration. | | Nil. |
| Clothing Factory, Shahjahanpur. | Nil. | Nil. | | Nil. |
| Cordite Factory, Aruvankadu. | Mr. T. A. John . . . | 9 | 6 | Nil. |
| | Mr. C. S. Theagaraja Pillai | 29 | 6 | 360 0 0 |

* Granted a pension of Rs. 15 per mensem.

HOURS OF WORK OF CLERKS OF THE ORDNANCE FACTORIES AND THE ARMY DEPARTMENT.

510. ***Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to state:

- (a) how many hours these clerks of Ordnance Factories are required to work per day and
- (b) how many hours the clerks of the Secretariat of the Army Department are required to work?

Mr. G. R. F. Tottenham: (a) $7\frac{3}{4}$ hours per day on week days and six hours on Saturdays.

(b) Six hours per day on week days and three hours on Saturdays.

CONDITIONS OF SERVICE OF THE CLERKS OF ORDNANCE FACTORIES.

511. ***Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to state

- (a) what the present grade of pay is of these permanent clerks who are neither eligible for pension nor for any provident fund with Government contributions;
- (b) what the grade of pay of permanent junior clerks of the Secretariat of the Army Department is; and
- (c) whether any scheme is under contemplation in the Army Department to improve the conditions of service and pay of these clerks of Ordnance Factories and if so, when it is likely to be sanctioned?

Mr. G. R. F. Tottenham: (a) The revised grade pay of these men, who are known as Section Clerks, starts from Rs. 37 and rises to Rs. 54 per mensem.

(b) The scale of pay of permanent routine grade clerks of the Defence Department Secretariat is Rs. 60 rising by annual increments of Rs. 2 to Rs. 80 and then by annual increments of Rs. 3 to Rs. 125 with an efficiency bar at Rs. 95.

(c) Such a scheme was considered some time ago, but was dropped, as Section Clerks are allowed to count their service as such towards pension on promotion to the next higher grade, and practically all of them are promoted before they retire. The few cases of men who retire without promotion are considered on their merits and gratuities allowed when merited.

Mr. M. S. Aney: May I ask the Honourable Member what is the reply he has given in all these answers to clause (d) of question No. 507? That remains unanswered?

Mr. G. R. F. Tottenham: I have explained that they are not debarred from pension or provident fund.

ESTABLISHMENT OF A STATISTICAL DEPARTMENT.

512. ***Mr. Suryya Kumar Som:** (a) Is there any Statistical Department under the Government of India?

(b) If the answer to part (a) be in the affirmative, will Government state what the number of officers engaged in that Department is and their pay? What are the works that are done by these officers?

(c) Do Government propose to establish a Statistical Department without delay and to take statistics there every year of the following and publish them annually:

- (i) the total number of cattle in India with separate statistics of primary cattle such as buffaloes, cows, etc.; and
- (ii) the number of unemployed province by province:
 - (1) amongst the educated middle class;
 - (2) amongst the cultivators; and
 - (3) amongst the labouring class?

The Honourable Sir Muhammad Zafrullah Khan: (a) There is a combined Department of Commercial Intelligence and Statistics at Calcutta. There is also a separate Statistical Research Branch of that Department at the headquarters of the Government of India.

(b) There is a Deputy Director of Commercial Intelligence and Statistics (Director of Statistics) at Calcutta and a Deputy Director of Statistical Research at headquarters. These officers work under the supervision and control of the Director-General of Commercial Intelligence and Statistics who is stationed at the headquarters of the Government of India. The pay of the permanent incumbent of the post of Deputy Director at Calcutta is Rs. 1,300 per mensem in the scale of Rs. 950—50—1,500. He is at present holding the post of Deputy Director of Statistical Research at the headquarters on a pay of Rs. 1,450 and the pay of his *locum tenens* in the Calcutta office is Rs. 1,150 per mensem.

As regards the work of these officers, the Honourable Member is referred to the Note on the functions of the statistical side of the Department of Commercial Intelligence and Statistics including those of the Statistical Research Branch printed on pages 277-284 of the Proceedings of the Standing Finance Committee, dated the 22nd January, 1934, Volume XIII—No. 6, a copy of which is in the Library of the Legislature.

(c) The first portion of this part does not arise. As regards the latter portion, statistics of live-stock are already published—*vide* "Agricultural Statistics of India", Volumes I and II, table V, copies of which are in the Library. It is not feasible at present to obtain any adequate statistics of unemployment in India. In this connection I am to invite the attention of the Honourable Member to paragraph 7 of Chapter III of the Bowley and Robertson Report, a copy of which is also available in the Library of the Legislature.

Prof. N. G. Ranga: Will Government consider the advisability of asking this Statistical Department to collect the necessary figures relating to the unemployed in this country, and also the average income of an Indian, which was asked the other day by Mr. Datta?

The Honourable Sir Muhammad Zafrullah Khan: Yes, and replies were given to that question.

Prof. N. G. Ranga: Will Government consider the advisability of asking the Statistical Department to enquire into it?

The Honourable Sir Muhammad Zafrullah Khan: It is not feasible, and, therefore, it is not advisable.

Prof. N. G. Ranga: Why?

The Honourable Sir Muhammad Zafrullah Khan: It was explained on that occasion.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that the Tariff Board on the Glass Industry complained bitterly that it was not able to get statistics as to the number of glass factories in India?

The Honourable Sir Muhammad Zafrullah Khan: How does that arise out of this question?

Mr. M. Ananthasayanam Ayyangar: I want to know what it is that the Statistical Department is doing when it is not even collecting figures as to the number of glass factories in India.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow any arguments like that at question hour.

DISADVANTAGES ARISING FROM CONSTRUCTION OF BRIDGES OVER BIG RIVERS.

513. *Mr. Suryya Kumar Som: (a) Are Government aware that the river-beds are drying out on account of construction of bridges over them and thereby causing deterioration of the health of the provinces and spreading malaria?

(b) Are Government aware that bridges over the Padma and the Brahmaputra have already caused, and are causing, the silting up of the beds of those rivers and have consequently made the villages on their banks malarious?

(c) Do Government propose to discontinue their policy of constructing bridges over the big rivers which are the only sources of drainage of the country and fertilising the neighbourhood unless it is found to be absolutely necessary?

(d) Are not Government aware that the big bridge over the Padma which was erected at an enormous cost, was not very remunerative from commercial point of view, and that it was erected inspite of the protest of the people?

(e) In constructing bridges over rivers do Government propose to take special precautions that their erection does not interfere with the free flow of water?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). No.

(c) Bridges over big rivers are only constructed when absolutely necessary.

(d) No.

(e) It is an essential point in bridge design to ensure that there is ample room for the passage of water.

OBSTRUCTION OF NATURAL DRAINAGE BY THE CONSTRUCTION OF RAIL ROADS IN BENGAL.

511. ***Mr. Suryya Kumar Som:** (a) Are Government aware that, in Bengal, the Eastern Bengal Railway, East Indian Railway and the Assam Bengal Railway rail roads have immensely obstructed the natural drainage of the province and that there is more of malaria in the local areas which were free from it before these rail roads were constructed?

(b) Are Government aware that Jamalpur Sub-division was very healthy before the Eastern Bengal Railway constructed two branches through it?

(c) Are Government aware that the Jamalpur and Mymensingh public complained in their addresses to the then Lieutenant-Governor about the paucity and short spans of the bridges over the Eastern Bengal Railway which caused malaria in the locality?

(d) Are Government aware that Shingjani-Sarishabari and Singhjani-Bahadurabad Sections of the Assam Bengal Railway have got very few outlet for natural drainage and in some places from Janghjani to Shureshabari the Eastern Bengal Railway rail road has crossed the dried up bed of a river without providing any bridge at this bed and that there is malaria in the locality which was the healthiest place in the District before the Eastern Bengal Railway was constructed?

(e) Do Government propose to issue instruction for a thorough enquiry into this matter and have the smaller bridges converted into bigger ones and construct more bridges where necessary?

The Honourable Sir Muhammad Zafrullah Khan: (a)—(d). Government have no information.

(e) The Honourable Member is referred to parts (b) and (c) of the reply to question No. 91 asked in the Council of State on the 20th September, 1935.

Mr. G. Morgan: Are Government aware that the Ashugunje-Akhaura Railway, when it was constructed, was constructed in such a way that the free flow of water was interrupted and that the water on the north side of the embankment stands four feet higher than the water on the south side of the embankment? Has any inspection been made of that particular branch railway, and could not the culvert system be enlarged?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that question.

GOVERNMENT'S POLICY OF PROTECTION OF INDIGENOUS INDUSTRIES.

515. ***Mr. Akhil Chandra Datta:** (a) With reference to the following observations reported to have been made by the Honourable the Finance Member in his speech which he made to the Indian Merchants' Chamber of Bombay, will Government please state whether it is the personal view of the Honourable Sir James Grigg or whether it is the policy of the Government of India?

"Please do not forget that nine-tenths of the people are agriculturists and it is no good fostering industry and so on if you place upon the backs of the cultivator burdens too grievous to be borne. He made it clear that in his opinion even the protection that had been so far given was not desirable". He added: "When we

consider that none of the protected industries, except steel, have shown any real sign of establishing themselves on a self-supporting basis and when we consider the serious inroads that protection has made into customs revenue—so that not only is the task of financing provincial autonomy being made extremely difficult but for years nation-building services have been starved in the interest of a comparatively smaller number of industrialists—when, I say, we reflect on these things, can it be denied that there is a lot to be said for the view that Government has been far too ready to listen to demands for high protection?" (Council of State Debates dated the 20th September, 1935, page 193)

(b) Has the Government of India changed its policy of protection of indigenous industries after the assumption of charge by him (The Honourable Sir James Grigg)? If not, is it in the contemplation of the Honourable Sir James Grigg to advise Government to change its policy and to restrict the field of protection?

(c) Will Government be pleased to state to what extent, if any, has the Customs Revenue been affected by the protection so far given to different industries year by year ever since the adoption of the policy of discriminating protection?

(d) Will Government be pleased to state in what other agricultural countries Government are protecting their industries by means of tariff walls?

(e) Is it a fact that Canada and Australia which are predominantly agricultural countries are following a policy of high protection?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b) Government's fiscal policy in respect of India's industries continues to be based on the principles laid down in the Resolution adopted by this House on the 16th February, 1923.

(c) The yield in 1934-35 of the import duties on items subject to protective duties was about 8 crores less than the revenue from those items before they were subjected to protective duties. The indications are that the aggregate revenue from these items will continue to decline progressively.

(d) The information asked for is not readily available

(e) Canada and Australia have adopted protective policies. They are not, however, predominantly agricultural countries.

Prof. N. G. Ranga: Will Government kindly ascertain the information asked for in part (d) of the question?

The Honourable Sir Muhammad Zafrullah Khan: It would be very difficult to obtain detailed information regarding this.

PURCHASE OF RATIONS AND OTHER MATERIALS, ETC., FOR THE SIND COAST LIGHTS.

516. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state how rations and other materials and repairs for the Sind Coast Lights are obtained by the office of the Superintendent of Light Houses, Karachi District?

(b) What is the total cost of the annual ration, purchase of necessary articles and repairs?

(c) Is it a fact that only one contractor has been enjoying the monopoly of contracts, and if so, how long has he remained as contractor and by what process is the contract given to him?

(d) Is it a fact that no tenders were invited for the year 1933-34, but the contract was given away to the contractor referred to in part (c) above?

(e) Was this way of giving away the contract ever objected to by the Government of India and if so, when and with what result?

(f) Is it also a fact that after the contract for 1933-34, a contract for continuous three years was given and if so, was it given to the lowest bidder, and if not, why not?

(g) Do Government propose to direct that the contract be given by widely circulating the fact through the local papers and to the lowest bidder?

The Honourable Sir Muhammad Zafrullah Khan: (a) By inviting tenders through advertisements in the approved local English and Vernacular newspapers, calling for quotations from local firms and by direct purchase through the Indian Stores Department, the Karachi Port Trust, and local firms. Certain repairs are also carried out by the Karachi Port Trust and through the agency of the Customs Department.

(b) Approximately Rs. 25,000 per annum.

(c) No.

(d) No tenders were called for in 1933-34, but the contract was given to the successful tenderer of the preceding year, on the ground that the work consisted largely of renewals and repairs which had already been partly carried out.

(e) An audit objection was raised and noted for future guidance.*

(f) Yes. In view of the poor competition in previous years tenders were invited through newspapers for a three-year contract subject to termination at any time by the Superintendent. The contract was given in the case of—

Rations—to the lowest bidder.

Stores—to the second lowest bidder. The preference to the second lowest bidder in the case of stores was based on grounds of quality of samples supplied. The stores contract was terminated after one year and stores subsequently required were supplied by the Indian Stores Department and two local contractors after inviting quotations from six local stockists and contractors.

(g) Contracts are, as far as possible, already given after calling for tenders through the approved local English and Vernacular newspapers. They are given to the lowest bidder consistent with the quality of articles tendered.

Mr. Lalchand Navalrai: With regard to part (c) of the question, may I know for how long the contract has been continuously given to this contractor?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that question.

Mr. Lalchand Navalrai: I have put the question in clause (c).

The Honourable Sir Muhammad Zafrullah Khan: The reply is "No." He has no such monopoly.

Mr Lalchand Navalrai: When did he get this for the first time?

The Honourable Sir Muhammad Zafrullah Khan: I cannot say. The Honourable Member said that he had it throughout. My reply was, no. But if my Honourable friend wants to know for how many years he has had this contract, I want notice of that.

AUDIT OF THE ACCOUNTS OF SUPERINTENDENT OF LIGHTHOUSES.

517. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if the accounts of the Superintendent of Lighthouses (other than Stores accounts) are audited by any Accounts Officer? If not, why not?

(b) What steps do Government propose to take in the matter?

The Honourable Sir Muhammad Zafrullah Khan: (a) The accounts of the Superintendents of Lighthouses are being audited by the Provincial Accountants General concerned and the audit is not restricted to stores accounts only.

(b) Does not arise.

AMENDMENT OF THE CHILD MARRIAGE RESTRAINT ACT.

518. ***Mr. Lalchand Navalrai:** Are Government aware of the popular demand which is at present prevalent in India and the evasion of law prescribed under the Sarda Act, and do Government propose to amend the Sarda Act (Child Marriage Restraint Act) so as to make the offence cognizable under it and also to remove the provision of a deposit on initiation of a complaint under the Act? If so, when, and if not, why not?

The Honourable Sir Henry Craik: The Government are not in possession of conclusive evidence either that there is a general evasion of the provisions of the Act or that there is a general demand for its amendment in the direction indicated. The Government do not propose to introduce a Bill on the lines suggested by the Honourable Member. They do not consider it incumbent on them to give reasons for refraining from introducing drastic amendments to an Act which came into force less than six years ago.

Mr. Lalchand Navalrai: Have Government ever made any enquiries from the Native States whether this Bill is being infringed by the British Indian people by going over to those Native States territories, performing marriages there and then returning to their British Indian homes with impunity?

The Honourable Sir Henry Craik: Certain enquiries were made on that subject, but that is not the point which is dealt with in the question. The question refers to other ways of making the Act more stringent.

Mr. Lalchand Navalrai: My idea was generally to ask how this Act is operating in British India, of course. I want to know if Government are going to take any action in order to checkmate the infringement of this British Indian law by British Indian people going to the Native States and breaking the law there and then coming back to their homes without any penalty attaching?

The Honourable Sir Henry Craik: The Honourable Member's question relates to a suggestion that Government should amend the Act by making the offence cognisable and by removing the provision that requires deposit on the initiation of a complaint. That has nothing to do with evasion of the Act by crossing over into Native States.

Mr. Lalchand Navalrai: What are the reasons for not making it cognisable, so that the Act may be protected?

The Honourable Sir Henry Craik: I have said that we have no conclusive evidence that there is a general demand for this alteration of the law suggested by the Honourable Member's question.

Mr. Lalchand Navalrai: What proof do Government require, when the newspaper press is very clear on the point?

The Honourable Sir Henry Craik: I do not agree that all the Press are unanimous in demanding that the offence should be cognisable. I have seen very little evidence of any popular demand for that change.

Mr. N. M. Joshi: May I ask Government whether they will call for reports from the Local Governments regarding the evasion of the law and publish those reports?

The Honourable Sir Henry Craik: Does the Honourable Member refer to the evasion of the law by going out of British India?

Mr. N. M. Joshi: That is one method.

The Honourable Sir Henry Craik: I will consider that.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether he will take action if the popular demand is brought home to him?

Mr. President (The Honourable Sir Abdur Rahim): That is a hypothetical question.

REBUILDING OF A STATION AT ALLAHDADANI ON THE NORTH WESTERN RAILWAY.

519. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if the Railway Board, or any authority under it, sanctioned rebuilding of a station at Allahdadani on the North Western Railway, Sind Section? If so, was the construction work taken in hand and how far did it progress and what did it cost?

(b) Is there any idea of abandoning that building? If so, why and

(c) Are Government aware that the present station building is unsuitable for the purpose? If so, do Government propose to rebuild it at any of the site other than the one already partly constructed upon? If so, for what reason, and what will it cost?

The Honourable Sir Muhammad Zafrullah Khan: (a) The answer to the first part is in the affirmative. As regards the latter part, the work was taken in hand and completed as far as the station building, platform, fencing and track were concerned at a cost of Rs. 54,122.

(b) No.

(c) The station building now being used is suitable for the present traffic.

There is no intention to rebuild the station at any other site than that already built upon.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the railway is going to bear all that loss by building these new platforms and buildings and then giving them up?

The Honourable Sir Muhammad Zafrullah Khan: I have referred to no new buildings or platforms.

Mr. Lalchand Navalrai: Does the Honourable Member know that a new building and a new platform have already been built near by? Are these new buildings going to be abandoned? If Government are not in full possession of the facts, I will give them the facts.

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will put down a question to that effect, I shall give him an answer.

CONTROL OF THE TOBACCO TRADE IN INDIA.

520. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the names of the tobacco growing provinces in this country, their acreage under tobacco cultivation and their production annually during the post-war years (1920—35);
- (b) whether the Government of Madras are contemplating to license the tobacco trade of this country under law;
- (c) whether the Government of India are being consulted by the Government of Madras before contemplating to bring about the measure of legislation for controlling the tobacco trade in this country; and
- (d) whether the Government of India gave their opinion on the matter, and if so, what was their opinion and the reason that actuated them to give the decision?

Mr. A. H. Lloyd: (a) I would refer the Honourable Member to the publication "Estimates of area and yield of principal crops in India" issued by the Director-General of Commercial Intelligence and Statistics. A copy has been placed in the Library of the House.

(b), (c) and (d) The Governor General accorded previous sanction to a Bill for this purpose but it has not yet been passed by the Madras Legislative Council. Taxation on tobacco is at present a provincial subject.

Mr. T. S. Avinashilingam Chettiar: Is it in furtherance of the general policy to find new revenue to meet the cost of the reforms?

Mr. A. H. Lloyd: That seems to be a matter for the Provincial Government which has introduced the Bill.

GRANT OF FACILITIES TO CZECHOSLOVAKIA TO SELL HER GOODS IN INDIA.

521. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether Czechoslovakia happens to be one of the biggest buyers of Indian goods now;
- (b) whether she does sell to India a corresponding value of goods;
- (c) whether it is a fact that she has not been shown the privilege of reciprocation to sell her goods in this country in larger quantities;
- (d) whether Government have considered the fact that by extending her better trade facilities India would be benefited in return to sell more Indian goods in that country than at present;
- (e) what the report of the Trade Commissioner under whose jurisdiction this country is situated has been, for the last two years;
- (f) whether Government will lay a copy of that report on the table;
- (g) whether Government are aware that Indian trade with Germany has very much declined with regard to exports into that country while the imports from that country have increased;
- (h) why such countries as Czechoslovakia are denied trade facilities, and countries such as Germany are given trade facilities;
- (i) whether Government are aware that Indian students in Germany undergoing practical training have been decreasing in number annually;
- (j) whether Government are aware of the marked decrease of Indian students at Munich;
- (k) the reasons which Government attribute for the change of policy of Germany to discourage the training of Indians in their institutions; and
- (l) whether Government took or contemplate to take any action in the matter, and if so, what they are, and if not, their reasons, political or otherwise?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The Honourable Member is referred to the Annual Statement of the Sea-borne Trade of British India, Volume II, and the Monthly Sea-borne Trade Accounts, copies of which are in the Library of the Legislature.

(c) Czechoslovakia already enjoys most-favoured foreign nation treatment in respect of her imports into India on a basis of reciprocity.

(d) Does not arise.

(e) and (f). The Honourable Member is referred to the annual and quarterly reports of the Indian Government Trade Commissioner, Hamburg, copies of which are in the Library of the Legislature.

(g) Yes.

(h) The Honourable Member's assumption is not correct. There is no discrimination between Czechoslovakia and Germany in regard to trade facilities.

(i) and (j). No.

(k) and (l). Do not arise.

Seth Govind Das: Is it a fact that countries like Persia and Turkey make it a condition before buying German goods that a certain number of their students would be taken in German factories for training?

The Honourable Sir Muhammad Zafrullah Khan: Government are not aware of that.

Pandit Krishna Kant Malaviya: Will Government make inquiries and find out?

The Honourable Sir Muhammad Zafrullah Khan: It is not feasible to do so.

Seth Govind Das: Does not the Honourable Member think that if we could have an agreement direct with Germany, we would be able to get a similar condition accepted by Germany?

The Honourable Sir Muhammad Zafrullah Khan: That is entirely a hypothetical question.

ENQUIRY RE AGRICULTURAL INDEBTEDNESS IN ZANZIBAR.

522. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether a Commission was appointed, subsequent to the adoption of the decree, in the protectorate of Zanzibar, to enquire into and report upon the problem of agricultural indebtedness and make recommendations, wherever necessary, for the relief of debtors;
- (b) the personnel of the Commission with the interests they represent;
- (c) whether their report has been published, and if so whether the attention of Government has been drawn to it fully;
- (d) whether Government will make available to this House copies of the report;
- (e) when the report was published;
- (f) when the report was submitted by the Commission;
- (g) whether it is a fact that the Zanzibar Government took six months or thereabout to decide upon the publication of the report;
- (h) whether they are aware of any special circumstances that made the Government of Zanzibar make this delay;

- (i) whether the Government of India made their representation to His Majesty's Government in the Colonial Department on the matter;
- (j) whether Government will lay on the table a copy of such representation;
- (k) what the reply of His Majesty's Government on the representation is; and
- (l) whether Government will kindly lay on the table a copy of such reply; and if not, what their reasons are?

Sir Girja Shankar Bajpai: (a) Yes.

(b) A statement is laid on the table.

(c) Yes.

(d) Copies of the Report have been placed in the Library of the House.

(e) On the 25th September, 1935.

(f) On the 3rd April, 1935.

(g) Yes.

(h) The Government of Zanzibar needed time to formulate their conclusions which they wished to publish simultaneously with the Report.

(i)—(l). Matters arising out of the Commission's Report are under discussion with His Majesty's Government, and Government of India regret that they cannot comply with the Honourable Member's request for papers while discussions are proceeding.

The personnel of the Agricultural Indebtedness Commission with the interests they represent.

1. C. E. Law, Esq., Chief Justice (Chairman);
2. J. P. Jones, Esq., Acting Chief Secretary and Provincial Commissioner (Vice-Chairman);
3. J. Parnall, Esq., Administrator-General, Land Officer and Public Trustee;
4. Sheikh Seif bin Suleiman el-Busaidi, Arab Member of the Zanzibar Legislative Council representing the Arab community in the Protectorate;
5. Tayabali Rajabali, Esq., Bar-at-law, representing the Indian Community in the Protectorate.

Seth Govind Das: Do the findings of the Commission happen to be different substantially from the memorandum submitted by the Government?

Sir Girja Shankar Bajpai: I think I have answered more than one question on that subject. The representation of the Government of India is in course of preparation and will, I expect, be sent off either today or tomorrow.

ENQUIRY RE BROADER AVENUES FOR INCOME-TAX ASSESSMENT.

523. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether they have been making enquiries from the Provincial Governments for broader avenues of income-tax assessment during the recent months;

- (b) what the lines of enquiry were;
- (c) whether the object of such enquiry is to assess the agricultural incomes also;
- (d) whether under the present system of assessment there are many foreigners transacting business in this country who escape income-tax;
- (e) whether Government adopted any method to assess such foreigners on their income from business transacted in this land;
- (f) whether Government have considered to assess the incomes from (1) interest on the sterling securities of the Government of India and (2) pensions and allowances of officials and *ex-officials* of the Government of India;
- (g) whether Government contemplate to refund the supertax to shareholders of Joint Stock Companies and enforce the carrying forward of business losses against profits made in subsequent years;
- (h) whether Government have come to the conclusion of doing away with the emergency measures introduced in 1931, to meet financial exigencies of Government;
- (i) whether Government have decided to raise the minimum taxation limit to two thousand rupees per annum; and if not, what their reasons are;
- (j) whether Government are going to act finally on the replies and suggestions of the Provincial Governments to the present enquiries or whether Government are going to appoint an expert committee to go into the matter of the revision of the structure and procedure of the income-tax system in this country;
- (k) whether Government are going to consult this House on the matter;
- (l) the stage at which the matter is at present;
- (m) the recommendations and suggestions of the Provincial Governments received so far; and
- (n) the method of the Provincial Governments for ascertaining the public opinion on the matter and from whom they ascertained the views expressed by them?

The Honourable Sir James Grigg: (a) No.

(b), (c), (j), (k), (l), (m) and (n). Do not arise.

(d) and (e). Suggestions to this effect have been made by the Federation of Indian Chambers of Commerce and Industry and others. These suggestions are before the Expert Advisers on Income-tax for examination.

(f) and (g). Beyond referring to sections 178 (3), and 272 of the Government of India Act, 1935, I cannot say anything on these points pending the receipt of the Experts' Report.

(h) and (i). I have repeatedly explained that the Government's intentions in taxation matters can only appropriately be dealt with in the budget speech.

Mr. M. Ananthasayanam Ayyangar: Have any Local Governments submitted memoranda to the Income-tax Inquiry Committee?

The Honourable Sir James Grigg: As far as I know, No.

Mr. S. Satyamurti: With reference to clause (d) of the question, may I know if any suggestions have been made by the various bodies? Are Government in a position to give any information on the point raised in clause (d)?

The Honourable Sir James Grigg: Suggestions to this effect have been made and are under examination.

Mr. S. Satyamurti: By the Government or by the Commission?

The Honourable Sir James Grigg: They are for the time being the servants of the Government.

Mr. T. S. Avinashilingam Chettiar: What is Government's opinion on that?

The Honourable Sir James Grigg: They cannot say anything before the matter has been investigated.

Seth Govind Das: When will that investigation be over?

The Honourable Sir James Grigg: I have already answered questions to that effect.

Mr. M. Ananthasayanam Ayyangar: What is the answer to clause (c)?

The Honourable Sir James Grigg: It does not arise.

Seth Govind Das: Will it not be advisable to associate eminent public men with the inquiry?

The Honourable Sir James Grigg: I have answered that question on a previous occasion.

NATIONAL INCOME OF INDIA FROM AGRICULTURE AND INDUSTRIES.

524. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the average national income of India between 1924 and 1931, from agriculture and from industries;
- (b) whether figures for cottage industries have been included in the income on industries;
- (c) what the present position of India's industrial recovery as against the deterioration of agricultural progress is since 1924, comparatively;
- (d) what the agricultural income of this country in the years 1928-29, 1929-30, 1930-31, 1931-32, 1932-33, 1933-34, and the estimated income of 1934-35; was as against industrial income separately;

- (e) the percentage of output of the agricultural products for this year as against the preceding year;
- (f) the percentage of increase in the *per capita* foreign trade of this country of this year as against the preceding three years on average in comparison with the balance of trade;
- (g) how much worth of goods India has to export to meet her home charges; and
- (h) what the total annual foreign obligation of this country is in crores of rupees?

The Honourable Sir James Grigg: The Honourable Member's question is not entirely clear to me but he will find such information as is available in the Annual Reviews of the Trade of India and in other official publications.

REDUCTION OF THE PRICE OF RETAIL COUNTRY SPIRIT AND LICENSE FEES.

525. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the total gross revenue for the year 1934-35, from the Excise Departments of all provinces of this country and the net revenue thereto as against the preceding year;
- (b) whether the Provincial Governments in consultation with the Central Government are contemplating to reduce the price of retail country spirit and license-fees; and
- (c) if so, why?

Mr. A. H. Lloyd: (a) A statement is laid on the table.

(b) and (c). The Government of India have received no such proposals from any Local Government. The Local Governments are themselves competent to sanction them.

Statement showing total gross and net revenue from 'Excise' of British India in 1933-34 and 1934-35.

| | Gross revenue. | Net revenue. |
|-------------------|----------------|--------------|
| | Rs. | Rs. |
| 1933-34 | 15,16,55,688 | 13,13,44,987 |
| 1934-35 | 15,23,52,083 | 13,21,92,539 |

TRADE RELATIONS WITH THE UNION GOVERNMENT OF SOUTH AFRICA.

526. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether there is an agreement on trade relations between this country and the Union Government of South Africa;
- (b) whether the trade returns between these two countries during the last two years are in favour of South Africa;
- (c) whether the Government of South Africa, while imposing duties on imported goods of India, consult the Government of India or its representative in that country on the necessity, advisability and the occasion actuating the levy of such duty;

- (d) whether they are aware that the Government of South Africa have decided to impose an import duty of 25 per cent. *ad valorem* on coir mats and mattings from India;
- (e) whether they were aware of the move on the part of the Union Government of South Africa before they reached the decision;
- (f) what they did to prevent their arriving at the decision they have; and
- (g) whether they are going to take effective steps to restore the former trade relations concerning this item?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) No. The position is the reverse.

(c) No. The Union Government are under no obligation to do so.

(d) The duty of 25 per cent. *ad valorem* on coir mats and coir matting has been in force for some years.

(e) to (g). Do not arise.

TRADE STATISTICS AND TRADE POSITION OF INDIA.

527. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the existing machinery to compile trade (exports and imports) statistics of this country;
- (b) whether they are aware of the conflicting and contradictory press correspondence with regard to the actual imports and exports to and from Czechoslovakia;
- (c) what the actual position of India's trade with that country is;
- (d) in whose favour does the balance stand;
- (e) whether the figures of re-exports from the United Kingdom of goods originally sent from India are included in the trade statistics of this country;
- (f) whether they propose to consider the advisability of publishing along with the statistical report such detailed figures of re-exports of Indian goods from the United Kingdom to continental countries to know India's trade obligations to the different countries; and if not, what their reasons are;
- (g) the actual imports to Czechoslovakia of Indian goods from the United Kingdom annually, during the last three fiscal years;
- (h) the actual quantity and value of Indian goods re-exported from the United Kingdom to other continental countries during the last three fiscal years annually; and
- (i) whether they are aware of the move on the part of the Czechoslovakia Government to curtail their Indian purchases whether directly or through the United Kingdom for lack of reciprocal treatment?

The Honourable Sir Muhammad Zafrullah Khan: (a) The attention of the Honourable Member is invited to the Introductory Notes to Volumes I and II of the Annual Statement of the Sea-borne Trade of British India, copies of which are in the Library of the Legislature.

(b) No.

(c) and (d). I would refer the Honourable Member to the reply given by me to parts (a) and (b) of his starred question No. 521.

(e) No.

(f) No. The requisite data are not available.

(g) and (h). The information is not available.

(i) No.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that H. E. the Viceroy in a speech, delivered some months ago, said that the exports and imports from India to Germany from the statistics compiled by them varied from the exports from Germany to India and the imports from India to Germany as found in our statistics?

The Honourable Sir Muhammad Zafrullah Khan: Yes, Sir.

Mr. M. Ananthasayanam Ayyangar: What is that due to, and have steps been taken to see that accurate information is given in the statistics prepared in India?

The Honourable Sir Muhammad Zafrullah Khan: As regards Germany, the question is under examination.

Seth Govind Das: So far as Germany is concerned, the Honourable Member has given the reply. What I want to know is that, as far as these statistics are concerned, they generally vary, are Government taking any steps to see that the compilations may be such that these statistics do not vary?

The Honourable Sir Muhammad Zafrullah Khan: It is not due to the fact that the compilations are incorrect; it is due to various factors which are taken into account in some of these compilations and not taken into account in others. For instance, with regard to direct trade between two countries, they may agree, but with regard to indirect trade—re-exports from some countries and indirect imports from other countries—they may not agree; and, as I have said, the question directly with regard to Germany is under examination, and I believe it will have to be examined with regard to other countries also.

Mr. S. Satyamurti: With regard to clause (b) of the question, do I understand the Honourable Member to say "no", and, if so, what are the reasons?

The Honourable Sir Muhammad Zafrullah Khan: It is not readily available.

Mr. S. Satyamurti: Will Government consider the advisability of publishing, along with the statistics, a report containing such detailed figures of re-exports of Indian goods from the United Kingdom? Does not the Honourable Member realise the importance of getting that information?

The Honourable Sir Muhammad Zafrullah Khan: Yes. But the information is not available. How can I get what is not available?

Mr. S. Satyamurti: May we not apply to the Board of Trade in England and ask them to give the information?

The Honourable Sir Muhammad Zafrullah Khan: Such figures and such information as is available are obtained, but that information does not enable us specifically to compile the information.

Mr. S. Satyamurti: Will Government request the Board of Trade in England and ask them, as a matter of obligation to us, to let us know whether it is really absolutely impossible for them to give us information as to re-exports of goods from India to England to other countries, in order to enable us to know how we stand with regard to other countries.

The Honourable Sir Muhammad Zafrullah Khan: That would mean the Board of Trade instituting special inquiries and there might be difficulty, but I shall look into the matter.

BALANCE SHEET OF THE INDIAN RAILWAYS.

528. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether their attention has been drawn to the proceedings of the recent Railway Auditors' Conference at Madras;
- (b) whether it is a fact that there is absolutely no reference, in the balance sheet of the Indian Railways, about the surplus or deficiency in working;
- (c) whether a large reserve fund has accumulated out of the profits in the past of the Railways;
- (d) what the actual amount so accumulated for the reserve fund is at credit at present;
- (e) whether the amount at credit is the same this year as it was last year;
- (f) whether it is a fact that there are absolutely no changes in the general items except the items of assets and liabilities;
- (g) whether the losses and the profits of all the Indian Railways have been put in one balance sheet without giving detailed information for minute scrutiny;
- (h) whether the balance-sheets of the various individual railways show the accumulated loss of capital;
- (i) what the total commercial capital value of all the Railways of this country is;
- (j) the commercial capital value of each of the Railways in this country;

- (k) whether it is a fact that in the net capital is included the subscribed capital and reserves of all kinds with the addition of all profits and losses and the deductions, after taking into account all earnings and debts due and all outside liabilities; and
- (l) whether they are aware of the public impression that the combined balance sheet is submitted as a result of loss of capital; and if it is a fact, what the net loss is?

Mr. P. R. Rau: (a) Yes.

(b) Yes. The profit or loss resulting from working the railways during the year is shown in the profit and loss account which is included, along with the balance sheet, in the annual appropriation accounts of railways of India. It can also be inferred from the figures of loan to revenue from the depreciation fund in the two years shown in the balance sheet.

(c) and (d). The large reserve that had been accumulated from surpluses from 1924-25 to 1928-29 was practically entirely exhausted by payments to general revenues of contributions in 1929-30 and 1930-31. The balance outstanding is Rs. 779 in cash and Rs. 46,80,335 invested in securities which it was decided not to realise.

(e) The amounts at credit of the reserve fund are unaltered as the losses are being met by borrowing from the depreciation fund.

(f) I am afraid I cannot exactly follow this question. If my Honourable friend will refer to the balance sheet published at pages 112 and 113 of the Appropriation Accounts for 1933-34, he will find that the figures against various categories as on 31st March, 1934, are entirely different from the figures on 31st March, 1933.

(g) No. The balance sheet and the profit and loss account of individual railways are printed in a separate publication which is issued as an appendix to the Appropriation Accounts, copies of which will be found in the Library. In the consolidated profit and loss account, it is impossible to show figures for each railway.

(h) The balance sheets of individual railways show the profit or loss in working during the year, but not the accumulated loss. The profit and loss accounts of the individual railways give details showing the net financial results of working during the year.

(i) If my Honourable friend means the capital-at-charge of all the State-owned railways in India, the figure at the end of March, 1935, is Rs. 7,95,29,54,596.

(j) I place a statement on the table showing the capital-at-charge of individual railways at the end of 1934-35

(k) This appears to be a definition of net capital which the author of the article from which my Honourable friend is quoting has in mind. The profit and loss accounts and balance sheets do take into account revenue liabilities not discharged and revenue receipts not realised.

(l) No. I cannot readily understand what my Honourable friend means by a net loss of capital.

Statement showing the capital-at-charge of railways at the end of 1934-35.

| | Rs. |
|--|----------------|
| East Indian | 1,44,50,71,777 |
| Eastern Bengal | 51,10,05,558 |
| Great Indian Peninsula | 1,21,31,12,029 |
| North Western (Commercial) | 1,12,77,77,981 |
| North Western (Strategic) | 34,06,54,298 |
| Burma | 35,02,69,142 |
| Assam Bengal | 23,65,61,876 |
| Railway Collieries | 1,95,75,233 |
| Bengal Nagpur | 77,45,41,435 |
| Bezwada and Dhona-Kurnool | 45,43,890 |
| Bombay, Baroda and Central India | 75,95,87,830 |
| Jodhpur | 1,01,59,769 |
| Lucknow Bareilly | 2,48,30,844 |
| Madras and Southern Mahratta | 55,20,23,560 |
| South Indian | 45,25,00,172 |
| Tirhoot | 9,97,08,385 |

BALANCE SHEET OF THE INDIAN RAILWAYS.

529. *Seth Govind Das: Will Government state:

- what interest on average is paid by Railways to Government annually;
- whether this interest is paid out of the capital itself;
- whether the capital loss is due to meeting the interest out of the capital;
- whether it is a fact that from commercial account's point of view Indian Railways have shown in their published accounts as having worked at a loss of 569 lakhs during the year while actually they made a profit of about 25 crores;
- whether there is much surplus capital at the disposal of Railways;
- what actual surplus capital is available;
- whether Government thought of pruning all excess capital at charge by debiting it to a suspense revenue account to be written off within a period of few years, by a charge against profits, the amount written off being paid off to the State in reduction of the capital account; and
- whether they are going to take immediate steps in that direction, and if not, what their reasons are?

Mr. P. R. Rau: (a) The interest charged to railway revenues in the last three years is as follows:

| | |
|-------------------|---------------|
| 1932-33 | 32.90 crores. |
| 1933-34 | 32.58 „ |
| 1934-35 | 31.80 „ |

(b) No. The interest has not been added to capital. It is paid out of revenue but the resulting deficit has been met by borrowing from the depreciation reserve.

(c) As I have already said, I cannot readily understand what my Honourable friend means by capital loss. '1

(d) It is only, if profits are to be calculated without taking into account the interest payable, that Railways can be said to be making such huge profits. The interest charges on loans have anyway to be met by the general tax-payer; and whether the net revenue from railways is taken as a profit to the general body of tax-payers as share holders in the concern or as the whole or part of the interest payable on money borrowed to invest in the concern does not seem to make any essential difference in the real result.

(e) and (f). Unless my Honourable friend says exactly what he means by surplus capital, I am unable to answer these questions.

(g) and (h). Government agree that it would be a prudent plan to write down capital from profits, but as at present there are no profits from State Railways to dispose of, the question is purely academic.

INTRODUCTION OF THE 'QUOTA SYSTEM' ON INDIAN RAILWAYS ON THE LINES OF THAT IN FORCE ON THE NORTH EASTERN RAILWAY IN LONDON.

530. ***Seth Govind Das:** (a) Will Government be pleased to state whether they have considered the advisability of introducing the 'Quota system' on the Indian Railways on the lines of that in force on the North Eastern Railway in London?

(b) Do Government intend to introduce such a system in this country immediately? If so, when, and if not, will they state their reasons?

The Honourable Sir Muhammad Zafrullah Khan: (a) If the quota system to which the Honourable Member refers is that mentioned in the second report of the Pope Committee as an example of commercial activity on the London Midland and Scottish Railway, the answer is in the affirmative.

(b) The matter is one of administrative detail and was brought to the notice of Railway Administrations as one of several lines on which action might suitably be taken as local conditions and circumstances warranted.

INDIAN EXHIBITION AT THE CHRIST CHURCH, WESTMINSTER.

531. ***Seth Govind Das:** Will Government be pleased to state whether:

(a) they are aware of the fact that an Indian exhibition organised by the London Missionary Society was held recently at the Christ Church, Westminster;

(b) the object of this exhibition was to popularise the work of the Mission in India;

(c) they are aware that it has been characterised by the "South London Press" as "a distorted exhibition of Indian life" and that "none of the stalls as a whole represented true Indian life";

(d) they gave their consent to such exhibitions and whether they tried to prevent the exhibition of such displays;

- (e) they are aware of the indignation expressed by the public in this country as a result of this and such exhibitions of gross misrepresentations; and
- (f) they will try to prevent the exhibition of such shows in future in Great Britain, and if not, what their reasons are?

The Honourable Sir Henry Craik: I am making enquiries and will lay the information on the table in due course.

Seth Govind Das: When does the Honourable Member hope to collect that information and lay it before this House?

The Honourable Sir Henry Craik: When I get that information; I have had to make inquiries from England; I think the letter went about three weeks ago.

OBJECTIONABLE FILMS ABOUT INDIA SHOWN IN FOREIGN COUNTRIES.

532. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether Government in Great Britain have any Board of Film censors;
- (b) whether there is any member on that Board to represent and protect the interest of this country such as objectionable films for exhibition in Great Britain; and if so, the name of the present Member and the Office he holds;
- (c) whether they are aware of objectionable films being shown regarding the life and scenery of this country in Great Britain and that such films have humiliated the people of this country in the eyes of the world;
- (d) whether Government realise their responsibility and have ever tried to act in accordance with their obligations in the matter; and
- (e) what action they contemplate taking in the matter of censoring the exhibits of objectionable films in the Empire countries concerning and misrepresenting India with a view to making propaganda against this country?

The Honourable Sir Henry Craik: (a) Yes. The British Board of Film Censors is an unofficial body established and maintained by the cinematograph trade, but completely independent in its decisions.

Films however can only be exhibited under licenses granted by a local authority and the Home Office on being satisfied that the Board of Censors was a suitable body for dealing with films issued a recommendation to all local authorities that only films passed by the Board should be granted licenses.

(b) I have no information as to the membership of the Board.

(c) I have no information beyond what I have already given in my answers to Dr. P. N. Banerjee's short notice question on the 27th March, 1935, and to his later question No. 377 on the 16th September, 1935.

(d) and (e). I have nothing to add to the assurance given by me in the concluding portion of my answer to Dr. Banerjee's question No. 377 referred to above.

TERMINAL SERVICES CHARGED TO FREIGHTS ON MINERAL PRODUCTS BY RAILWAYS.

533. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether terminal services charged to freights on mineral products by Railways in this country are distinguished as station terminals and service terminals;
- (b) whether under the English law the charges for terminals are distinguished as service terminal and station terminals;
- (c) what are the reasons governing the lumping together in one single item "terminals" under the law in India; and
- (d) if terminal charges are included in freight indiscriminately, whether the services are rendered at the station siding or the depot?

Mr. P. R. Rau: (a) No: the distinction between station terminals and service terminals is not recognised in railway practice in India.

(b) Yes.

(c) The definition of 'terminals' as given in section 3, clause 14 of the Indian Railways Act, 1890, reproduces *verbatim* the definition in the Railway and Canal Traffic Act, 1888, which authorised the levy of terminals on English Railways. The practice on the latter has, however, been to show station terminals separately from service terminals. The necessity for similarly disintegrating the terminal charge in Indian Railway practice has not been established.

(d) The freight rate applicable between any two stations where it specifically includes a terminal applies irrespective whether the traffic is booked from or to the station or to a private siding; in the latter case, an additional charge for haulage over the siding is also made in some cases.

RECONSTITUTED IMPERIAL ECONOMIC COMMITTEE.

534. ***Seth Govind Das:** (a) Will Government be pleased to state when the reconstituted Imperial Economic Committee submitted its report last?

(b) Who were the Members of this Committee?

(c) What is the total subscription collected for the running of this organisation annually during the last three years, separately?

(d) What are the individual quotas of subscription of different countries of the Empire for the running of this establishment?

(e) How are the quotas of subscription based?

(f) How much India has benefited by way of results from the workings of this institution and what is her contribution for the maintenance of this establishment?

(g) Was any one selected to represent India from the Indian commercial community?

(h) Did Government during the past years present to the Legislative Assembly for its consideration the report submitted by this Committee?

(i) Have the Empire Marketing Board been absorbed within the function and constitution of this Committee, or do they function independently?

(j) Have the Government of this country through their representative suggested to the Committee to take up rice and wheat survey?

(k) What is the number of officials appointed by this Committee for its working?

(l) What is the number of Indians in this Committee as against Europeans?

The Honourable Sir Muhammad Zafrullah Khan: (a) The first report issued by the reconstituted Imperial Economic Committee is for the period 1st October, 1933 to 31st March, 1935.

(b), (c), (d), (k) and (l). The information desired by the Honourable Member is contained in the abovementioned report copies of which are in the Library of the Legislature.

(e) The contributions of the several parts of the Empire have been calculated on the basis of the statistics of general trade exports from each part of the Empire to other parts of the Empire, the agricultural production of each part of the Empire, and the benefits likely to be received.

(f) It is not possible to make a quantitative estimate of the benefit to India but the world surveys of production and trade carried out by the Committee and the other periodical reports issued by it have been found to be useful. As regards the latter portion of this part, I would invite the Honourable Member's attention to page 30 of the Report referred to in part (a) above.

(g) Sir Padamji P. Ginwala is a member of the Committee.

(h) No.

(i) The Empire Marketing Board as such ceased to function after the 30th September, 1933, and certain of the economic and statistical services carried on by the Board were taken over by the Imperial Economic Committee.

(j) No, but I may state for the information of the Honourable Member that the Imperial Economic Committee issued a Report on the Wheat Situation in 1931 and is, it is understood, now preparing a monograph on certain commodities including wheat and rice.

Seth Govind Das: What is the proportionate expenditure over the salaries or allowances paid to Europeans and Indians?

The Honourable Sir Muhammad Zafrullah Khan: Which allowance?

Seth Govind Das: Certain allowances are given to Europeans and Indians and I want to know what amounts are spent proportionate to their number and interest they represent.

The Honourable Sir Muhammad Zafrullah Khan: What allowances, where?

Seth Govind Das: In reply to part (i) of the question, I understood the Honourable Member to say that certain economic and statistical services are carried on by the Imperial Economic Committee. I want to know what is the number of Indians in this Committee as against Europeans, and what are the allowances or salaries paid to Europeans and Indians in this Committee?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that, but I doubt if any salaries are paid at all.

Prof. N. G. Ranga: Is it not a part of the functions of this Committee to advertise the various imports from the Empire countries in Europe?

The Honourable Sir Muhammad Zafrullah Khan: I don't believe it is one of the functions of the Imperial Economic Committee.

REPORT OF THE DRUG ENQUIRY COMMITTEE.

585. ***Seth Govind Das:** Will Government be pleased to state:

- (a) when the report of the Drug Enquiry Committee was submitted;
- (b) whether the recommendations of the Committee were given effect to;
- (c) whether Government are aware that adulteration and deterioration of or tampering with the strength and quality of drugs sold in India is due to the fact that there is no control over the quality of drugs manufactured or imported into this country;
- (d) whether it is a fact that it was proved by the Committee on analysis of a large number of samples collected at random that many firms sell drugs in this country which are not only adulterated but are also of considerable under-strength and under-weight;
- (e) whether they are aware that the dumping of inferior quality of drugs has its repercussion on the quality of drugs manufactured in India, in that the quality is deteriorated to keep pace with the competitive rates of the dumped goods,
- (f) whether they are also aware that a class of manufacturers has thus arisen to make and sell inferior and sometimes absolutely inactive products;
- (g) what action they took during these years to check the extensive and indiscriminate traffic of drugs from other lands;
- (h) whether they are aware of the practice that some importers get hold of time-expired biological products from the European markets, import them into India and sell them to the dealers at a very cheap price; and
- (i) whether they contemplate taking any action to enforce legislative measures to control this evil practice, and if so, when and if not what their reasons are?

Sir Girja Shankar Bajpai: (a) to (1). I would refer the Honourable Member to the answer given by me to Mr. Satyamurti's question No. 34 of this month.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether he recently received a communication from Colonel Chopra on the delay in the application of the recommendations of this Committee?

Sir Girja Shankar Bajpai: No, Sir; as far as I know, we have received no such communication from Colonel Chopra recently.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether his Department has recommended any action or taken any action against the importation of spurious quinine in the Punjab and other parts of India?

Sir Girja Shankar Bajpai: I don't think, Sir, my Department has issued any instructions with regard to any particular drug, or about the importation of spurious quinine; nor we have taken the recommendations of the Drug Inquiry Committee as a whole.

Lieut.-Colonel Sir Henry Gidney: Does that not come within the scope of that inquiry?

Sir Girja Shankar Bajpai: That comes as a minute element in the Report, but it does not mean a separate consideration.

Lieut.-Colonel Sir Henry Gidney: Is the Honourable Member aware that that Report emanated from the spurious importation of quinine?

Sir Girja Shankar Bajpai: Well, I daresay that that was one of the elements that the Government considered when they appointed the Committee.

PROTECTION OF THE INTERESTS OF INDIANS IN IRAQ.

536. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the number of Indians who are at present residing in Iraq;
- (b) the number of Iraqis residing at present in India;
- (c) the total value of goods which India imported from Iraq every year after the war;
- (d) the total value of goods which India exports to Iraq annually;
- (e) whether they are aware that Indians in Iraq are not treated by the Government of Iraq in the same manner of free international-citizenship as India extends to Iraqis in India;
- (f) whether they have had complaints from Indians in Iraq, either through the Consul or direct;
- (g) whether they made any representations to the Government of Iraq for a reciprocal treatment to Indians in that land;
- (h) the result of such representations by the Government of India, whether direct or through the British Consul there;

- (i) whether Government will lay on the table a copy of the entire correspondence ensuing out of this matter; and if not, why not, and
- (j) whether Government are aware that the Government of Iraq are going to enforce a legislative measure "The Labour Protection Law", the promulgation of which will make the position of Indians in that country all the more insecure; and if so, whether Government are going to take any steps to protect the interests of Indians in Iraq?

Sir Aubrey Metcalfe: (a) 4,500 approximately.

(b) Information is not readily available.

(c) and (d). For the necessary statistics, attention of the Honourable Member is invited to the Statistical Abstract for British India (9th Issue), Volume II, of the Annual Statement of the Sea-borne Trade of British India for the year ending 31st March, 1934, and the monthly Accounts relating to the Sea-borne Trade and Navigation of British India for March, 1935, copies of which are in Library of the Legislature.

(e) Government have no exact information.

(f) No.

(g) The matter has been and is still being represented to the Iraq Government through His Majesty's Ambassador at Baghdad.

(h) and (i). Government do not consider that it will be in the public interest or in that of Indians in Iraq to publish any further information about these negotiations at present.

(j) Yes But the law referred to has not yet been passed, and its effect on Indians in Iraq cannot be anticipated at this stage.

Mr. S. Satyamurti: With reference to the answer to clause (e), am I right in having heard the Honourable Member saying that the Government have no exact information?

Sir Aubrey Metcalfe: That is the position.

Mr. S. Satyamurti: May I know if the Honourable Member will be good enough to write and get the exact information? It is very important for us to know how our Nationals are being treated in that country.

Sir Aubrey Metcalfe: If I have written once, I have written and telegraphed half a dozen times, but the information cannot be available until this law has been finally passed.

Mr. S. Satyamurti: I want to know whether the Government find any difference in the position of Indians as it stands, apart from the effects of the contingent passing of this law. The question asks whether today the position of Indians in Iraq is the same as that of Iraqis in India. May I know if the Government will find out that information?

Sir Aubrey Metcalfe: The only information, as I have already explained, that I can give, is about the residence law, a copy of the relevant section of which I have laid on the table. This does impose

certain restrictions not only on Indians, but on all foreigners. As far as I am aware, there is no residence law against foreigners in India. Therefore, there is a certain difference between the position of Indians and all other foreigners in Iraq as compared with the position of Iraqis and other foreigners in India. That is all I can say.

Mr. S. Satyamurti: Have the Government of India brought this to the notice of the Iraq Government that, while their Nationals are treated without any discrimination whatever in this country, ours are in their country, and so will Government ask them to redress that inequality?

Sir Aubrey Metcalfe: It has already, as I have said, been brought to the notice of the Iraq Government through His Majesty's Ambassador in Iraq, and I cannot give any further information about the negotiations.

Mr. S. Satyamurti: When do Government expect to be in a position to get an answer?

Mr. President (The Honourable Sir Abdur Rahim): He has already stated that the despatch has been sent.

Mr. S. Satyamurti: Sir, we are very worried about these things. How can we keep quiet when the Government can give us an answer, but do not? With reference to clause (h), may I know why the Government cannot give us the result of such representations by the Government of India, whether direct, or through the British Consul there?

Sir Aubrey Metcalfe: Simply because the results are not yet known. Until the law is passed, how can we tell the results?

Seth Govind Das: When do Government expect to know the results?

Sir Aubrey Metcalfe: When the law has been passed

Mr. S. Satyamurti: When do they expect to know those results?

Mr. President (The Honourable Sir Abdur Rahim): How can they say that until the law has been passed?

Mr. S. Satyamurti: It will be too late then.

INDIAN TRANS-CONTINENTAL AIRWAYS COMPANY.

537. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether the Indian Trans-continental Airways Company is an Indian Company;
- (b) the number of shares subscribed for the capital of the Company;
- (c) the total capital so subscribed;
- (d) whether the Company is a private one;
- (e) what percentage of shares of the Company is held by the Imperial Airways;

- (f) the percentage of shares that are held by the Government of India;
- (g) the percentage of shares held by the Indian National Airways;
- (h) whether it is a fact that the major portion of the capital is non-Indian and the control of the company is vested in the hands of non-Indians;
- (i) whether it is a fact that under the constitution of the Company four out of the seven Directors of the Company are to be appointed by the Imperial Airways,
- (j) whether it is a fact that the Imperial Airways get an annual cash subsidy from the British Government;
- (k) whether it is a fact that the Government of India give a further subsidy in the form of remission of customs and excise duties on air-craft, spares, petrol, oil, etc., and exemption from charges for landing, housing, wireless and meteorological facilities at Indian aerodromes, which amounted in 1933-34 to nearly a lakh of rupees;
- (l) whether Indian capital was not available for the Indian Trans-continental Airways Company in sufficient amounts in order to give the shares to non-Indian bodies; and
- (m) whether they propose to bring about the Indianisation of capital and control at the earliest date of this Indian airways concern, and if not, what their reasons are?

The Honourable Sir Frank Noyce: (a) Indian Trans-continental Airways, Limited, is a Company registered in India under the Indian Companies Act, 1913, with rupee capital. A majority of the Directors of the Company are and must always be Indian nationals.

- (b) A hundred thousand shares of Rs. 10 each.
- (c) Rs. 10,00,000.
- (d) Yes.
- (e), (f) and (g). 51, 24, and 25 per cent. respectively.
- (i) Yes; but of these four, two must, in accordance with the Articles of Association of the Company, be Indian Nationals.
- (j) Yes.
- (k) The remissions and exemptions granted by the Government of India for the operation of the trans-India service are in favour of Imperial Airways, Ltd., and Indian Trans-Continental Airways, Ltd., jointly. The value of the concessions during 1933-34 was Rs. 84,678, but it is estimated that the saving in mail carriage charges paid by the Indian Posts and Telegraphs Department, as a result of a reciprocal concession granted by the British Post Office, was more than Rs. 1½ lakhs.

(h), (l) and (m). I would invite the Honourable Member's attention to my speech in this House on the 20th September, 1933, on a motion for a supplementary grant for civil aviation. I then explained very fully the reasons that led the Government of India to agree to Imperial Airways, Ltd., taking 51 per cent. of the shares in Indian Trans-Continental Airways, Ltd., and pointed out that Indian interests would be sufficiently safeguarded by the fact that the majority of the Directors of Indian Trans-Continental Airways, Ltd., were Indian gentlemen of

high standing perfectly competent to look after Indian interests. I also answered the criticism that Indian capital was not given an opportunity of investing in this new industry and made it clear that the present arrangement for the operation of the trans-India service was subject to the provision that, in 1939, the Government of the day would be at perfect liberty to reconsider the whole position.

Mr. M. Ananthasayanam Ayyangar: Are Government represented on the directorate, seeing that 51 per cent. of the shares has been subscribed by Government?

The Honourable Sir Frank Noyce: Yes, Sir, Government are represented on the Board of Directors. But I may point out that my Honourable friend's statement that Government have 51 per cent. of the shares is incorrect. Their proportion is 24.

Mr. M. Ananthasayanam Ayyangar: Why are not similar concessions shown to the Himalayan Airways here?

The Honourable Sir Frank Noyce: For one reason, because the Himalayan Airways do not carry mails.

SHORT NOTICE QUESTION AND ANSWER.

REPORT OF THE INDIAN DELIMITATION COMMITTEE.

Mr. S. Satyamurti: Will Government be pleased to state:

12 Noon.

- (a) whether they propose to place the Hammond Committee's Report before the Assembly for discussion;
- (b) whether the entire recommendations of the Committee including those concerning the Provincial Legislatures will be placed before the Assembly; and
- (c) whether they are aware that the Provincial Lower Houses are the constituencies for the election to the Federal Lower House?

The Honourable Sir Nripendra Sircar: (a) Yes, in so far as proposals relating to the Federal Legislature are concerned.

(b) No.

(c) The primary electorates to the Federal Lower House are the various electorates in the provinces themselves. In the case of special seats, they elect directly; for other seats they elect through the medium of the members of the Provincial Lower House who form secondary groups of electors.

Mr. S. Satyamurti: May I know the reasons why, in view of the fact that the vast bulk of the general seats and practically all the general seats of the Federal Lower House will be elected by the members of the Provincial Lower House, Government do not propose to place the recommendations concerning the method of election of the Provincial Lower House before this Assembly for discussion?

The Honourable Sir Nripendra Sircar: I do not know that I can add anything usefully. It is a matter of opinion as to what are the proposals regarding the Federal Legislature which should be placed before this House. And I have nothing to add to the answer which I gave the other day to supplementaries *plus* the answer given today.

Mr. S. Satyamurti: May I know whether, in view of the fact that the Federal Lower House will be very largely composed of representatives of the Provincial Lower Houses, Government will consider the desirability of placing those proposals concerning elections to the Federal Lower House before this Assembly for discussion?

The Honourable Sir Nripendra Sircar: I shall certainly place the matter before Government for consideration.

Pandit Nilakantha Das: Sir, may I draw the attention of the Honourable Member to the fact that excluded and partially excluded areas are practically the function of the Governor General in Council, specially the excluded areas, and there are certain nominated members in certain provinces proposed by the Hammond Committee? And may I request the Honourable Member to place this view before Government that this subject at least should be open to discussion by this House?

The Honourable Sir Nripendra Sircar: I said that I am prepared to put up all considerations and objections which have been made; and these long questions which will be printed will be before us for consideration.

Mr. S. Satyamurti: May I know whether the Government of India contemplate sending a despatch on this Hammond Committee's Report to His Majesty's Government before they pass final orders thereon, giving their own opinions?

The Honourable Sir Nripendra Sircar: That, Sir, I am not prepared to state today without further inquiry.

Mr. S. Satyamurti: Have they done so in such matters before to the Secretary of State, that is to say, recommendations made by Committees in connection with the bringing into effect of the Government of India Act?

(No reply.)

DEATH OF MR. N. C. BARDALOI.

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, with your kind permission, I desire to bring to the notice of yourself and of this House the melancholy news of the death of Mr. N. C. Bardaloi, who was a Member of this House. He has met with an unfortunate and premature death, and this is the eighth death which I am mentioning to the President and this House, although the House has been in existence for barely a year and a half. I had not the pleasure of knowing Mr. Bardaloi before I met him as a Member of this House, but I am aware of the influence which he had in his province, and I am also aware of the respect and confidence of the constituency which he used to carry. But these are matters about which probably others are far more competent to speak than myself. I desire to convey to the bereaved family through you, Sir, our sense of loss and our sincere condolence on this unfortunate event.

Mr. Bhulabhai J. Desai (Bombay Northern Division : Non-Muhammadan Rural): Sir, I wish to join in the expression of regret which has been mentioned by the Leader of the House at the death of our friend, Mr. Nabin Chandra Bardaloi. In him we have lost a man of almost dynamic personality; and, if he appeared over-zealous, it was erring on the right side because of the great and deep study which he brought to bear on the questions which he made particularly his own in this House during the short time that he occupied his seat among us. His life and character were distinguished by courage and an unusual amount of candour; and the feeling that sustains us in the midst of all these bereavements is that it becomes all the greater the duty of the survivors to establish the principles for which he lived and to carry on the great work which he has left behind, in order that his country may be free.

Mr. Abdul Matin Chaudhury (Assam : Muhammadan): Sir, on behalf of the Independent Party, we desire to associate ourselves with the motion that has been made by the Honourable the Leader of the House. It is very sad to contemplate that, during the course of a few weeks, Assam had to mourn the loss of two distinguished leaders, Mr. Chanda and Mr. Bardaloi. When we heard of the little motor accident that he had on his way from Shillong to Gauhati, all his friends were hoping for a speedy recovery, and we never thought that, in the course of a few days, we shall have to mourn the loss of a dear and respected friend. Mr. Bardaloi, Sir, was for a number of years in the forefront of public life in Assam. It was he who led the deputation to England to press the claim of the Assamese people before the Joint Parliamentary Committee when the Montagu-Chelmsford reforms were introduced. During the days of the non-co-operation movement, he renounced his practice and threw himself heart and soul into the movement. Mr. Phookan and Mr. Bardaloi were the two idols of the people of Assam, and that position Mr. Bardaloi maintained in the heart and affection of his people till his death. Sir, the void that has been created in the public life of Assam by the death of this distinguished son is very difficult to fill. Mr. Bardaloi was a very loyal friend, and one of his principal characteristics was his patriotism and his reckless courage. I would request you, Sir, to convey to the members of the bereaved family the sense of loss that the House has suffered by his death; I would also request you to adjourn the House as a mark of respect to the memory of Mr. Bardaloi.

Mr. M. S. Aney (Berar Representative): It is really very painful that we should have to mourn the death of one more Colleague of ours within such a short time. Those who knew Mr. Bardaloi knew him to be a patriot of a very high order. I had the privilege of knowing him for some years as a co-worker in the Congress. His sense of duty was very keen and in the discharge of that duty he never allowed any personal considerations to come in the way. Those who have seen him working as the Secretary of the Reception Committee of the Indian National Congress held at Gauhati knew how in the dead of night when it was raining terribly and the delegates who were living in huts were greatly inconvenienced he came to enquire about the condition of the delegates and their comforts and convenience although he himself was terribly inconvenienced. That was the spirit in which he used to carry on his duties whenever he was entrusted with them. He was an unassuming man, at the same time a gentleman of indomitable courage. He occupied in fact a unique position in the

public life of Assam and also in this country, and to the end he maintained it by the very qualities he possessed. In the loss of such a gentleman not only this House loses a very valuable Member, but the country loses a patriot of a very high order. Sir, my party joins in associating itself with the expression of condolence moved by the Honourable the Leader of the House.

Sir Leslie Hudson (Bombay: European): Sir, in associating myself with all that has been said about such a useful career cut short in so tragic a manner, may I add that this Group feels a special sense of loss in the sad death of Mr. Bardaloi? This Group has always included members intimately associated with the tea industry and by them Mr. Bardaloi was always looked upon as a friend and a colleague. When any legislative business connected with tea was being discussed in this House, we always turned to Mr. Bardaloi for his special knowledge and assistance. I am asked by my Group, Sir, to voice their deep regret on the passing of one with whom they have been so closely and so amicably associated and to ask you to convey our tribute of regret and esteem for the memory of Mr. Bardaloi when you transmit to his family the sentiments expressed in the House today.

Mr. Basanta Kumar Das (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, it is with feelings of great sorrow that I rise to associate myself on this melancholy occasion with what has been said by Honourable Members who have spoken before me. The accounts of Mr. Bardaloi's illness that appeared in the papers from time to time were no doubt causing anxiety to us; but only three days ago I received a letter from his son which conveyed the reassuring news that he had passed the critical stage and was progressing towards recovery. We were, therefore, expecting that he would soon be restored to health and be with us here, when this stunning news of his death reached us. I feel, Sir, that by his death I have sustained a personal loss, and I have lost a dear and a valued friend.

Mr. Bardaloi was an outstanding personality in the province of Assam and my Honourable friend, Mr. Abdul Matin Chaudhury, was very right when he said that his death creates a void in the public life of Assam which it would be very difficult to fill. His sacrifices for the cause of nationalism were immense and well-known. His sufferings during the non-co-operation days were ungrudging and great as they endeared him to the people of his province. By his death the Assam Valley Districts have lost a trusted and a great leader, who never faltered even in difficult situations of stress and strain. Sir, the Gauhati Session of the Indian National Congress would not have been possible if Mr. Bardaloi was not at the helm of its affairs. I had opportunity of associating with him very intimately, and had the honour of working under his leadership in the Assam Legislative Council for several years. I am in a position, therefore, to testify to the great qualities of head and heart he possessed. The prominent traits of his character were straightforwardness, sincerity and undauntedness. His services to the mother country were varied and distinguished, and India has lost today a devoted son and a valiant fighter. With these words, Sir, I would request you that you would be pleased to convey my sincere condolences to the members of his family.

Mr. President (The Honourable Sir Abdur Rahim): I associate myself with all that has been said to express the grief with which Members have received the sad news of the death of Mr. Bardaloi. He has been a Member of the present Assembly since its beginning, and we all know that he was a very active Member of this House. Especially, whenever any important questions which concerned his own province cropped up, he expressed his views fearlessly and very fully—views which seemed to have been appreciated by the other sections of the House interested in his province. I have had occasion to come into contact with him more than once; he was a gentleman and a man of very straightforward character, and, as has been mentioned by other Honourable Members from Assam, he exercised great influence in his province and was universally respected. It will be my duty to convey the condolence of this House to the bereaved members of his family. I further understand, and am told, that there is a general desire in the different sections of the House that I should adjourn the Assembly as a mark of respect to his memory after the Railway Budget has been presented.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

Mr. President (The Honourable Sir Abdur Rahim): I have to communicate to the House the following Message which has been received from His Excellency the Governor General. The Message reads:

"In exercise of the powers conferred by rule 2 of the Indian Legislative Rules, I, Freeman, Earl of Willingdon, hereby appoint the Honourable Sir Muhammad Zafrullah Khan to perform the functions assigned to the Finance Member under rule 46 of the said Rules on the occasion of the general discussion appointed for Wednesday, the 19th February, 1936, on the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways.

(Sd.) WILLINGDON,
Viceroy and Governor General."

NEW DELHI;
The 26th January, 1936.

RAILWAY BUDGET FOR 1936-37.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I rise to present to the House the Railway Budget for 1936-37. Honourable Members will shortly have in their hands the papers which it has now become customary for the Railway Department to furnish Honourable Members with, in order to enable them to follow clearly the figures on which the estimates are based, and no explanation is necessary on my part with regard to these papers. I would only draw the particular attention of Honourable Members to the graphs included in the Budget Memorandum, which would show at a glance the salient figures of the finances of Railways since the separation of Railway Finance from the General Budget. Ever since the Railway Budget has been separated from the General Budget, it has been the practice of Honourable Members, when giving notice of cuts, to indicate briefly the nature of the questions which they intend to raise, and I have no doubt

that this salutary practice, which enables Government Members to supply the House with fuller information on the points raised than would otherwise be possible, will be continued. This request has been made year after year by the Railway Member, but the practice to which I have referred has now become so well established that I do not think it will be necessary for me or for any of my successors to repeat this request.

2. In presenting the Budget for 1935-36 this time last year, my predecessor, Sir Joseph Bhore, felt that the hope that Railway earnings were on the road to recovery had been justified and that there were good grounds for an optimistic forecast with regard to the future. This spirit of optimism was based on the improving traffic receipts in the first ten months of 1934-35. It is somewhat of an irony, however, that even as he was making his Budget speech in this House, the clouds had begun to gather and the optimistic anticipations of a continuance of improvement in traffic and earnings had begun to fade away. It was about the middle of February, 1935, that railway receipts again began to exhibit a downward tendency, and since then that tendency has persisted almost unchecked, though the decrease has been more in some months than in others. It had been anticipated that for the first time in many years, our commercial lines would give us in 1935-36, a surplus,—small, it is true, but still a surplus. The House is already aware that there is no likelihood of that hope being fulfilled; a deficit is inevitable, and it is only the exact size of the deficit with regard to which there is any doubt.

Financial results of 1934-35.

3. The House will thus realise that I have not a very cheerful tale to tell, and I shall not detain the House over preliminaries. Before I proceed to explain the estimates for the current and the next year, it will probably be useful to make a brief reference to the financial results of 1934-35. These are described in detail in the Administration Report issued by the Railway Board early last month. The Budget estimates for 1934-35 had estimated a deficit of 5½ crores, including the loss on strategic lines. At the time of the presentation of last year's Budget, however, it was hoped that the deficit would be reduced from 5½ crores to 4½ crores. Owing to the slump in traffic which supervened during the last six or seven weeks of the last financial year, the actual deficit for 1934-35 turned out to be five crores, that is to say, three-quarters of a crore higher than was expected. Of this, two crores was attributable, as Honourable Members know, to strategic lines.

Revised estimates for 1935-36.

4. When the Budget for 1935-36 was framed, it was estimated that the total traffic receipts in respect of State-owned lines would amount to 93½ crores, and the total working expenses, including depreciation, to 64.43 crores. Allowing for miscellaneous receipts and expenditure, the net railway revenue was estimated at 29½ crores, resulting in a deficit of under two crores. To justify this estimate of traffic receipts, we should have earned in 1935-36 about 3½ crores more than we earned in 1934-35, but during each of the last ten months traffic earnings have unfortunately been almost consistently below last year's, and it is now considered unlikely that our traffic receipts will exceed 90 crores, which, allowing for the

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extra day in February this year, is really half a crore below last year's figures and $3\frac{1}{2}$ crores below our budget estimate. The principal commodities that have contributed to this fall in traffic earnings are rice, cotton and oil seeds, the last alone being responsible for a fall of over 60 lakhs in the first seven months of the year. On the other hand, we expect our working expenses (including depreciation) to be 64.01 crores, that is to say, 42 lakhs below our budget estimate. Allowing for miscellaneous receipts and expenditure, our total net revenue is expected to stand at 26.83 crores, which is slightly more than that in 1934-35. Owing to a fall in the rate of interest resulting in our interest charges being 43 lakhs less than last year, the net deficit is expected to be half a crore less than in 1934-35, or just over $4\frac{1}{2}$ crores. It is proposed to meet the total deficit of $4\frac{1}{2}$ crores by a loan from the depreciation fund, the actual balance of which will, at the end of the financial year, be just under nine crores. Our total borrowings from the depreciation fund to meet deficits will reach the high figure of 32 crores. But for these borrowings the actual balance of the depreciation reserve would have amounted to just over 41 crores..

5. Finding that during the first quarter of the year the level of our traffic earnings was consistently below that of the previous year, and realising that we were likely to be faced with a much bigger deficit than we had anticipated, we took necessary steps to impress upon the Agents, who are directly responsible for the administration of the vast Railway System of India, the necessity of watching the position very closely and of devising methods of increasing revenue and reducing expenditure so far as was practicable. In July last, my Honourable colleague, the Finance Member, and I called a preliminary Conference of all the Agents of Class I Railways for an exchange of views with regard to the ways and means of meeting this set-back in railway earnings. In the beginning of October, we had another meeting with the Agents, when we were able to go into suggestions for the improving of net revenue at some greater length, and the Agents took advantage of the opportunity to discuss the various suggestions among themselves. At these meetings, Agents were asked to take stock of the position of their individual lines and to consider what they could do to improve the present position. As a result of the examination of their tariffs undertaken by the Railway Administrations, it was found that there was no great scope for an increase in freights without risk of undue hardship to trade or further reduction in earnings. Nevertheless, Railway Administrations are taking steps to make small increases in their freights, where these are possible, without involving a risk of one or other of the contingencies to which I have referred, and it is expected that as a result of these changes, an addition of about a crore may be made to our earnings in the course of 1936-37.

6. As regards passenger earnings, we expect the result to be better than the actual earnings in 1934-35 and our budget estimate for 1935-36. The increase, as compared with the latter, is likely to be 55 lakhs, and as compared with the former, 37 lakhs. The total number of passengers carried in the first seven months of the year is $2\frac{1}{2}$ millions more than the number carried in the corresponding months of the last year, and the passenger miles during the same period are two per cent. higher than last

7. As regards goods, though the total tonnage carried during the first seven months of the year is practically the same as that carried in the corresponding period of last year, the ton mileage shows a decrease of $\frac{1}{2}$ per cent. The reduction of the coal surcharge has had very little effect in stimulating traffic but has operated to reduce the earnings of the first seven months by 11 lakhs; though there has been a small increase of $\frac{1}{4}$ million tons in quantity as compared with last year, the number of wagons loaded has been smaller. Rice traffic, which was exceptionally brisk in 1934-35 as the result of heavy imports of Burma rice for the devastated areas in Bihar, has undergone considerable reduction this year and is responsible for a loss of 40 lakhs in the first seven months of the year. Grain and pulse show a fall of ten per cent. in quantity and 20 per cent. in earnings, amounting to 20 lakhs. Oil seeds, owing to short sowings last year, as a result of the fall in prices, are down by nearly 600,000 tons (30 per cent.) in quantity and 61 lakhs (33 per cent.) in earnings. There has been a fall of 18 per cent. in respect of cotton, both in earnings and in quantity, and this has been responsible for another 20 lakhs. The only commodity in respect of which we have witnessed a large increase is metallic ores. These have shown an improvement, during the first seven months of the year, of 30 per cent. in quantity and over 40 per cent. in earnings amounting to 23 lakhs.

8. As regards ordinary working expenses, there is expected to be an apparent decrease of 42 lakhs and a real decrease of 17 lakhs, as compared with last year. This disparity is explained by the fact that an item of 12½ lakhs in respect of charges on account of freight on coal consumed on the Bombay, Baroda and Central India Railway during 1935-36 was included in the accounts of the previous year as the coal was received in advance before the beginning of the current year. If that item had not been included in the accounts of the previous year and had been debited to the current year, it would have reduced the working expenses of the previous year by 12½ lakhs and would have correspondingly increased the working expenses of the current year.

9. As the House is aware, the emergency deduction from the pay of railway servants was abolished from the beginning of the current year as in the case of other Government servants, and this will result in an increase of expenditure during the current year by 90 lakhs. This has masked the decrease in expenditure of 42 lakhs and has converted it into an increase of 48 lakhs. As compared with the budget estimate, however, the revised estimate shows a saving of 40 lakhs on account of ordinary working expenses. The House will recall that the terrible earthquake of the 31st May, 1935, did considerable damage to our buildings at Quetta. Our working expenses have, however, been affected by the earthquake only to a small extent. It was fortunate that the railway line within the affected area was not seriously damaged; for, apart from the loss to railway finances, such damage would have seriously upset the running of trains and would have rendered relief operations far more difficult and far less effective, thus adding considerably to the horror and suffering of those involved in this calamity.

10. While on this subject, may I beg the indulgence of the House to interrupt my narrative in order to pay a well-deserved tribute to the devotion to duty displayed by all grades of railway staff throughout the area affected.

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Budget estimates for 1936-37.

11. Turning now to the estimates for the next year: We have placed the total traffic receipts on State lines, both commercial and strategic, at 91½ crores against 90 crores in the current year. This means an increase of 1½ crores, allowing for the extra day in February this year, as compared with 1935-36. Our total working expenses, including depreciation, are estimated at 64½ crores. The net traffic receipts will thus stand at 26½ crores. Allowing a crore for miscellaneous receipts, our net revenue will stand at 27.67 crores, an improvement of 84 lakhs upon the current year. This figure will fall short of our total interest charges by 3.44 crores, so that a loan of 3.44 crores from the depreciation fund will again be required, and the actual balance in the fund at the end of the year is likely to be about 11½ crores. Our total loans from the fund will stand at about 35½ crores and the nominal balance of the fund will be over 47½ crores.

12. Our estimate of earnings for 1936-37 has been framed in a conservative spirit. It assumes an improvement of a crore from alterations in rates and fares which Railways have introduced or intend to introduce during the current year, but in actual volume of traffic it assumes no more than that in 1936-37: we shall get the traffic that we actually got in 1934-35 and that we shall recover the ground we have lost during the current year.

13. We have estimated our ordinary working expenses at 51½ crores, which is half a crore above the figure for the current year. Nine lakhs of this increase is due to the restoration of the deduction in salaries inasmuch as, during the current year this restoration was operative only in respect of eleven months, and during the next year it will be operative in respect of the full twelve months. Again, as I have explained, the current year's total of working expenses should have been 12½ lakhs higher if a particular item of expenditure pertaining to the year had not been incurred last year and included in that year's accounts. The real increase in working expenses over the current year is, therefore, only 28½ lakhs.

14. Our programme of capital expenditure for the next year is necessarily more restricted than the programme for 1935-36, and the total expenditure on works included in it is only 11½ crores. In view of the fact that for many years the actual expenditure on capital works has, for various reasons, been much lower than the amounts that we have provided in our budget estimates, we have decided to make a lump sum deduction of 1½ crores from the total sum required and to provide only 10½ crores for the purpose. This includes a quarter of a crore for new construction which is practically confined to the Megna Bridge. In view of the fall in traffic, we propose to purchase only 750 general service wagons next year. Practically all the other works are in the nature of replacements and improvements of the open line, such as renewals of track, for which we have provided five crores; strengthening of bridges, for which we are likely to require ½ crore; and rolling stock, on which we expect to spend a little under 3½ crores.

15. In his Budget speech last year, Sir Joseph Bore, basing his hopes on the traffic figures for the first eight months of 1934-35, said, that there was good justification for the view that we had definitely

measure of confidence, for a period of balanced budgets so far, at any rate, as our commercial lines were concerned. This year's figures would appear to indicate that those anticipations are not likely to be realised for some years. Though it is expected that this year's deficit will be smaller than last year's, mainly owing to a reduction in the rate of interest, and it is hoped that the results of next year's working would show a further small improvement, we must recognise that any real improvement in the position is likely to be slow. With expected deficits of $4\frac{1}{2}$ crores and $3\frac{1}{2}$ crores in 1935-36 and in 1936-37, respectively, following upon accumulated deficits in each of the previous 5 years, totalling nearly 38 crores, it is obvious that the seriousness of the position cannot be under-rated.

16. Railways are our biggest national asset; and in view of the situation in which we find ourselves and also having regard to the impending changes in Railway Administration, namely, the handing over of the Administration of our Railways to the Federal Railway Authority, I venture to think that I would have the indulgence of the House in attempting a brief review of Railway finances for the past few years, say, from the date of the separation of railway finances from general finances, to discover, if possible, the factors which have contributed towards placing us in our present unenviable position, so that knowing what is wrong with us, we might be able to attempt a remedy. The period I propose to take for this review is from 1924-25 to 1934-35, the former being the first year of the separation of finances and the latter, the last completed financial year.

17. As Honourable Members are aware under the separation convention, Railways were required to pay a contribution to general revenues as follows:

One per cent. on the Government capital at charge for commercial lines at the end of the penultimate year, *plus* $1/5$ th of the net gain of the penultimate year *minus* the loss on strategic lines during the penultimate year. In addition, when the year's results showed a surplus after meeting the fixed contribution based on the results of the penultimate year and if the surplus exceeded Rs. three crores, $1/3$ rd of the excess over Rs. 3 crores had to be paid to general revenues. Any profit left after paying the above contribution was to go to a reserve fund. At the same time a depreciation fund was founded, the contribution to this being based on the lives of the various assets on a strictly straight line basis. The liabilities imposed on Railways were to meet their working expenses, including their contribution to the depreciation fund, interest on capital at charge, and contribution to general revenues, as detailed.

18. Now let us examine how far Railways have been able to meet these liabilities during the period under review. This period may be subdivided into two sub-periods, which may be described as the period of prosperity—1924-25 to 1929-30; and the period of adversity—1930-31 to 1934-35. During the period of prosperity, Railways met all their liabilities, and even in 1930-31, the first year of depression, they contributed $5\frac{1}{2}$ crores to general revenues. This contribution was, however, met from accumulations in the Railway Reserve Fund. In all during this period, after meeting all their liabilities, Railways contributed 42 crores to general revenues. After 1930-31, Railways have made no contribution to general revenues, and have only been able to meet working expenses and interest charges by borrowings from the depreciation fund. The total amount borrowed from this fund up to the end of 1934-35 was $27\frac{1}{2}$ crores.

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and the actual balance in that fund had been reduced at the end of that year to 9½ crores. It should be noted, however, that since the contribution to general revenues has ceased, Railways have taken over the responsibility for loss on strategic lines—about two crores per annum.

19. The main reasons for the falling off in earnings during the period of adversity may be summarised briefly as :

- (a) world depression and general collapse of commodity prices;
- (b) the striving after self-sufficiency by almost every country in the world including India and development of internal trade and production;
- (c) increase in motor competition, and to a lesser degree, river and sea competition.

To these may be added certain factors which have tended towards keeping our working expenses at a higher level than we would have reached had these factors not come into play; and these are :

- (i) labour legislation;
- (ii) improvement in service conditions of staff.

Under (a) in the first group i.e., world conditions and collapse of commodity prices, I only propose to deal with our main products, *vis.*, cotton, wheat and oil seeds. With respect to cotton, the acreage sown appears to vary in direct proportion to the market price, and obviously railway earnings vary with the area under cultivation. In November 1923, Broach cotton reached a price of Rs. 715 per candy. During that year, the area under cultivation was 23,636,000 acres. In the next year, the acreage increased to 26,801,000, and in 1925-26 to 28,491,000. In 1926, the price of Broach cotton dropped to Rs. 236 per candy, and in 1926-27 the acreage under cotton fell to 24,882,000. There was a still further drop in acreage in 1927-28, but apparently, owing to the increase in the price in 1927, when Broach cotton reached Rs. 491 per candy, the acreage again increased to 27,000,000. In 1928-29, lower prices again prevailed and the acreage dropped to 26,000,000. In 1930, the price dropped still further and the acreage fell to 23,800,000. Lower prices again prevailed in 1931 and there was a further drop in acreage to 22,480,000. In addition to the fall in price, in some of these years the crop was affected by unfavourable weather conditions. As an example of the effect which these conditions may have on the crop, we find that in 1930-31 the yield per acre was 88 lbs., whereas in 1930-31 it dropped to 68 lbs. Our earnings from cotton dropped from Rs. 4½ crores in 1929-30 to under 3½ crores in 1934-35. Taking the Great Indian Peninsula Railway alone, in 1929-30, the earnings from cotton were 187 lakhs as compared with 90 lakhs in 1934-35.

20. Before the War and up till 1924-25, India was a large wheat exporting country. Since that year, the export traffic in wheat has been practically dead, and till lately there seemed to be little chance of Indian wheat getting into world parity, despite the efforts that had been made to stimulate such export by giving a rebate on railway freight for such

traffic. The difference in earnings between 1924-25 and 1934-35 on this traffic is almost exactly Rs. two crores, of which the North Western Railway alone have lost about Rs. $1\frac{1}{2}$ crores.

21. Traffic in oil seeds has dropped within the last six years by Rs. $1\frac{1}{2}$ crores. The traffic on the Madras and Southern Mahratta Railway alone has dropped from Rs. 127 lakhs to Rs. 66 lakhs. The reduction in our earnings on these three commodities alone is just over Rs. $4\frac{1}{2}$ crores, i.e., just about the figure of our expected deficit this year.

22. As regards the second factor which I have mentioned above, viz., the striving after self-sufficiency and the development of internal trade and production, the general effect of this policy on railway earnings, so far as India is concerned, has been to replace long lead traffic to and from the ports by short lead internal traffic. With increasing prosperity and the further development of industries in the country, part of this loss may be made up, but it is apprehended that in the present state of world industry and international commerce, it will take a very considerable period of time for this happy consummation to be achieved. The North Western Railway estimate that they alone have lost over 50 lakhs a year on account of this substitution of short lead traffic for long lead traffic. Again, India has, in the past, been a very large exporter of ground nuts, especially to France. In recent years, France has been encouraging the growing of ground nuts in her own African Colonies, thus displacing the Indian product to a considerable extent from the French market. Other examples could be quoted, but these will, I think, suffice to illustrate how the policy adopted in India and other countries may react on railway earnings. India is in the course of re-adjusting itself to new conditions in this respect, and a certain amount of disturbance of old conditions is inevitable during the transitional period. Our concern is due to the anticipation that the transitional period is likely to be a protracted one.

23. Take again the effect on railway earnings of irrigation schemes like the Lloyd Barrage in Sind and the Mettur project in Madras, both of which, it is hoped, will prove of such great benefit to the country as a whole. The immediate result is bound to be a loss to Railways inasmuch as the effect of these and similar schemes is to restrict the area of supply and to substitute local produce for commodities brought from a distance. In the case of the Lloyd Barrage, the North Western Railway is, it is estimated, already losing 20 lakhs a year by the substitution of Sind wheat and cotton for Karachi in preference to Punjab wheat and cotton with its longer lead. If, however, Punjab wheat begins to be diverted in larger quantities to the United Provinces, Bihar and Bengal, and even, let us hope, to the South of India, Railways might more than regain the traffic in this commodity which they have lost in Sind. These illustrations will show how the growing prosperity of the country itself in various directions might adversely affect railway earnings, but, as I have said above, this phase may only be temporary, and there can be no doubt that, given a material and permanent increase in the prosperity of the country in the agricultural as well as in the industrial fields, Railways may eventually find themselves in a better financial position than they have achieved at any time in the past.

24. When Railways were originally projected, they had, to all intents and purposes, a monopoly of long distance transport, both passenger and

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goods. Being in this position, they were hedged round with restrictions for the protection of the railway user in order that they should be worked for the benefit of the country as a whole, and not entirely for the benefit of the shareholders. Times have changed, and now there is another competitor in the field of transport,—a competitor which so far has not had to operate under the same conditions as Railways,—I refer to road motor transport. It is estimated that today Railways are losing Rs. three crores of revenue to the roads per annum. So far the loss has mainly been on passenger traffic, but signs are not wanting that valuable goods traffic, such as piecegoods, is being lost to the roads. This process must continue unless there is a reconsideration of the present road and motor transport policy. At present, much of the money available for roads is being spent on the improvement or reconstruction of roads in competition with Railways, and yet there are in the aggregate vast areas in India which have no means of modern transport either by road or by rail. Then, apart altogether from road transport, river and sea competition has been intensified in the past few years. These interests, owing to the trade slump, have had to cut down their rates or go out of business. In some cases, it has been possible to retain traffic to the railways, but only by a reduction in rates with consequent loss in earnings.

25. Turning now to the items which have had the effect of adding to our working expenses: Within recent years, a good deal of labour legislation has been enforced in India, which has added materially to the liabilities of Railways. The application of the Washington and Geneva Conventions to Railways has meant a debit of about half a crore of rupees per annum to Railway revenues. In prosperous time, this might have been regarded as an inconsiderable sum, but, in these times of depression, an addition, even of this amount, to our working expenses assumes large proportions.

26. During the prosperous period when Railways were meeting all their liabilities and paying their contribution to general revenues, the Government of India decided to reduce railway rates. The net effect of the reduction, assuming there was no increase of traffic, would have been a loss of Rs. five crores to Railway revenues. It was hoped, however, that a reduction in rates would stimulate traffic and the loss would be made up in increased traffic. Having helped the railway user to this extent, the Government of India further decided that the lower paid staff had claims to share in the prosperity of Railways, and certain increases of pay were granted to these categories of staff. The cost of this was somewhere in the neighbourhood of another Rs. $\frac{1}{2}$ crore per annum; again, a liability which could have been easily absorbed in prosperous times, but which in these days of depression is difficult to meet.

27. That, I think, states the present position. What have Railways done to improve this position and what are the prospects for the future? During the years of adversity, all railways have overhauled their expenditure, every item of expenditure coming under scrutiny. The result has been that working expenses have been reduced by about Rs. six crores per annum. Attempts have been made by judicious increases or decreases in rates and fares to increase earnings. Some of these attempts have been successful; others, less so.

clear that till world conditions improve and there is a general rise in the prices of commodities, there is little, if any, prospect of Railways regaining the greater part of the traffic they have lost on this account. Though the signs may be faint, there are, I think, signs that world conditions are improving. The reactions of this will be felt in India, and we may reasonably hope that there will be a general tendency for our traffic to increase in the commodities I have already mentioned. As regards the problem of self-sufficiency, the more outside countries become self-sufficient, the less will India export to them, and unless there is a radical change in general world policy, I am afraid there is little chance of regaining the traffic lost through this cause. As for the self-sufficiency of India herself, as her industries develop, presumably the country will become wealthier, and though we may have lost the larger portion of our long lead traffic, if there is more money to spend it is bound to have its effect on railway earnings.

29. If Railways are to regain their lost position, or even retain their present position, it is essential that road transport should so far as is possible be placed on a fair competitive basis. I firmly believe that this would be in the interest of all concerned. There is plenty of scope for both forms of transport, and though competition is inevitable, they may to a great extent be complementary. This country has not yet been fully developed and provided with modern means of transport. Surely, till such a stage is reached, the correct policy would be to devote all the money available to the opening out either by road or by rail communications of carefully selected new areas, with the object of getting their produce to the markets of India and the outside world. We are often told by businessmen and industrialists that the panacea for all their troubles is low railway rates, but low railway rates presuppose a large volume of business for the railways. Is the necessary volume of business within sight of being obtained? I am quite definitely of opinion—No, unless there is a properly co-ordinated road and rail policy. Mr. Pelley, President of the Association of American Railroads, in a letter to the public, dated December 9th, 1935, writes as follows:

"Rail Progress Not Ended.

"Nor has progress in railroading come to an end. The improvements in safety, comfort, speed and attractiveness of passenger trains in the past few years are well known. Less well known but perhaps more important are the improvements in freight service, either now in effect or under way.

Regardless of the degree of efficiency which may be achieved by railroads, they will not be able by themselves to solve the so-called 'railroad problem'. In truth, it is not a railroad problem. It is a transportation problem, to be solved finally not only by the efforts of the railroads themselves, but also by the correction of the unwise public transportation policies which are at the root of the trouble.

That railroads have been able to stay in business at all under such unequal conditions of competition, and to do the major transportation work of America, is due to the inherent superiority of the rail method of hauling, which alone can combine in one co-ordinated continent-wide operation the flexibility of the single car with the economy of mass transportation in long trains.

The great need of the railroads to-day is more business. As the total commerce of the country may increase with national recovery, the railroads will secure the needed volume if given equality of treatment."

What is true in America today is equally true in India.

30. The main difficulty, however, in the way of a proper and thorough co-ordination between rail and road transport, which is peculiar to this

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country, is that Railways are the concern of the Central Government, and the development of roads and the control of motor transport that of the Provincial Governments. I fully appreciate the position of the Provincial Governments, whose policy is naturally influenced by a strong and often vocal public opinion. But there are certain fundamental facts which are sometimes forgotten. The finances of the Provinces are ultimately dependent, to a large extent, upon the prosperity of the Central Government, and the prosperity of the country is dependent, to a large extent, upon an efficient and cheap system of railway transport. It must be realised that over 750 crores of the taxpayer's money have been invested in railways in India, and in the last resort it is the Indian taxpayer who must pay the interest charges amounting to over 31 crores on this capital. Nor must it be forgotten that the success of the new system of autonomous provinces presupposes that Central revenues will have a considerable surplus for distribution among the provinces. If Central revenues are faced with the prospect of having to finance an unremunerative system of Railways, their capacity to contribute towards the resources of the provinces will be correspondingly reduced. It will thus be seen that the financial prosperity of the provinces is intimately bound up with the prosperity of Railways, and it is to be hoped that Provincial Governments will assist the Centre in the adjustments of policy which now appear to be inevitable. We propose to discuss the question further with them in the near future.

31. As regards labour legislation, I would invite a reference to a Report recently issued by the Labour Officer to the Bombay Government which compares the conditions of certain categories of railway labour in the Bombay Presidency to that of labour employed by private firms. A perusal of that report will show that the Bombay railways have no reason to be ashamed of the conditions under which their labour is working; and what is true of Bombay is, I think, true of railways throughout India. That being so, I think a stage has been reached where a halt might be called, at least for some time, more especially having regard to the present financial position of railways, in the liberalisation of rules relating to the hours and conditions of work and the granting of further privileges to our staff, which, though individually they may not have cost a very large sum of money, have, in the aggregate, considerably increased the working expenses of railways.

32. I might here refer to two other factors which occasion considerable leakage in railway revenue, for which a remedy must be sought at an early date. I have in mind the evils of the ticketless passenger and the under-charging of freight either by the negligence or the fraud of railway employees through under-weighment and misdeclaration of goods. As regards the latter, I have had occasion to impress upon Agents of Railways the necessity of a more rigorous check of the work of the class of railway employee whose duty it is to charge freight upon goods consigned to railways for carriage; and in some cases, a stricter check has already been introduced and has shown good results. The evil is, however, of long-standing, and though I shall be glad to see a stricter and more rigorous application of their disciplinary powers by the Agents directed towards the checking of this evil, I am afraid it is not likely to be effectively checked without the active co-operation of the commercial community of the country, for, in every case of under-weighment or misdeclaration the consignor

must be an active participant in the fraud practised upon the Railways. Under the circumstances, it is difficult to say what steps must be taken to eradicate the evil altogether. The development of a healthy public opinion upon the subject would go a very long way towards uprooting this evil. It must surely be realised that it is as culpable to cheat the Railways out of their proper dues as it is to cheat an individual out of his. Meanwhile, I would make an earnest appeal to Honourable Members and, through them, to the general public to co-operate with Railways in bringing to notice cases of this sort so that deterrent disciplinary action may be taken where the culpability of a railway employee can be established.

33. The problem of the ticketless traveller is equally not a new one. It has been repeatedly brought to the notice of Government by the Indian Railway Conference Association which has urged upon Government the necessity of stricter legislation for dealing with this evil. The magnitude of this evil may be surmised from the fact that during 1934, the number of passengers detected travelling without a proper ticket was close upon 27 lakhs; and, during 1933, the number of such passengers was over 29 lakhs. I have had occasion to examine the figures bearing upon this matter for the last ten years, and find that there has been a progressive increase in these numbers during that period: from 17½ lakhs in 1925 to over 29 lakhs in 1933, with a drop to just below 27 lakhs in 1934. These numbers only furnish a rough indication of the extent of the evil, for it is feared that the number of those travelling without proper tickets who are not detected is very much larger than the number of those who are detected. Government have been reluctant to introduce legislation to counteract the evil of ticketless travel, inasmuch as they desired that every practical method which knowledge and experience suggested should be explored before they committed themselves to legislation. These methods have failed and it is estimated that the loss to railway revenues on this account is at least Rs. ¼ crore per annum, and it is possible that it is considerably more. Government have, therefore, been forced to the conclusion that stricter legislation designed to check the practice of ticketless travel is inevitable if Railways are to be safeguarded against the greater portion of this loss. It is considered that it is not too much to ask the user of railways to pay a fair charge for services rendered, and, if he fails to do so, to render him liable to punishment in the same way as a man is punished if he is caught purloining other people's goods, as, after all, the offence of travelling without a ticket is in its essence no different from obtaining goods on false pretences. It is, therefore, proposed to place before the House, in due course, legislation by way of amendment of the Indian Railways Act, which would make it easier to deal effectively with this evil, and I trust Government will have the assistance of Honourable Members in placing it on the Statute-book at an early date.

34. Reference may also be made to one or two other factors, which might, to some extent, help to relieve the present situation. Owing to the gradual fall in existing rates of interest and conversions of loans borrowed at high rates of interest in the years immediately after the War, we may expect a reduction in our interest charges of between 25 to 50 lakhs a year, increasing from year to year. The new scales of pay that have been introduced for Railway servants will also, it is expected, ultimately result in savings of between two and three crores a year, though it will be some years before these savings become appreciable. The

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continuous pressure of job analysis and the examination of all items of expenditure, however small, with the object of relentlessly eradicating waste and extravagance may yet result in some further saving in expenditure, which, though small with regard to individual items, may, in the aggregate, be considerable. These factors, will, however, in part, be counterbalanced by automatic increases due to increments in pay, and the net result, though substantial, cannot be expected to be spectacular.

35. As against the rather gloomy picture of the present position of our Railways that I have sketched in the preceding paragraphs, we have at least the consolation that our position is no worse than the position of other railways throughout the British Empire and throughout the world: in fact, it is considerably better than in most other countries. The following figures, showing the percentage of Net Revenue to Capital of the Indian Railways, compared with the British Group Railways and certain of the Dominion and Colonial Government Railways, may be of interest. During the years 1933-34 and 1934-35, Indian Railways earned 3.40 per cent. and 3.64 per cent. on their capital at charge. During the years 1933-34 and 1934-35, the British Group earned 2.30 per cent. and 2.50 per cent. During 1933-34 and 1934-35, New South Wales Government Railways earned 2.62 per cent. and 3.14 per cent.; Nigerian Railways 3.46 per cent. and 4.21 per cent. (no contributions being made to renewals); New Zealand Government Railways 2.05 per cent. and 2.01 per cent.; Tanganyika Railways, 2.15 per cent. and 3.31 per cent. In 1934-35, the Western Australian Government Railways earned 3.61 per cent. For the two years, 1933-34 and 1934-35, South African Railways earned approximately 3 per cent. and for the same period it is interesting to note that the Railways of the United States earned 1.8 per cent. It should also be noted that generally the operating ratio of Indian Railways is better than the operating ratio of other railways throughout the world. Details of how this compares with other Railways will be found in the Railway Board's latest Administration Report.

36. To sum up, the position, though causing anxiety and requiring ceaseless watchfulness, is not, by any means, desperate. Given a reasonable improvement in world conditions, regulation of motor transport on a fair competitive basis, a check on further concessions and privileges to Railway staff, and legislation imposing effective check upon ticketless travel,—there is a fair chance that the financial position of Railways will gradually improve and that they will, within a reasonable period, achieve a sound financial position.

In conclusion, I desire to convey an expression of my gratitude to the members of the Railway Board as well as to all those upon whom rest the responsibility and the burden of administering and running the vast system of railways in India, for the loyal co-operation and assistance that I have received from them. (Loud Applause.)

Mr. President (The Honourable Sir Abdur Rahim): In deference to the general desire that has been conveyed to me by several Honourable Members of this House, I adjourn the Assembly till eleven of the clock tomorrow, as a mark of respect to the memory of the deceased, Sriji N. C. Bardaloi.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 18th February, 1936.

LEGISLATIVE ASSEMBLY.

Tuesday, 18th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock. Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

CONFIDENTIAL MEMORANDUM SUBMITTED TO THE SPECIAL TARIFF BOARD BY DIFFERENT CONCERNS.

538. ***Seth Govind Das:** Will Government be pleased to state whether:

- (a) the Lancashire cotton interests, whose Delegation arrived in this country lately to give evidence before the Special Indian Tariff Board, have submitted a confidential memorandum;
- (b) any other concerns have submitted confidential memoranda before the Board, and if so what their names are and what interests they represent; and
- (c) they will obtain and lay a copy of such confidential memoranda on the table for the benefit of this House and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government have no information beyond what has appeared in the press.

(c) The evidence submitted to the Special Tariff Board will be made available to the Honourable Members of this House after Government have received the Board's Report and the evidence and have decided on the action to be taken on it.

Seth Govind Das: When do they expect to receive the report?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid, I am unable to make a guess.

Mr. S. Satyamurti: Did this Delegation of Lancashire Cotton interests meet the Government or any Member of the Government formally or informally?

The Honourable Sir Muhammad Zafrullah Khan: I think sometime last week Mr Angus Campbell, who was the Chairman of the Delegation or its leader, paid me the courtesy of a visit. That is all that I know.

Mr. S. Satyamurti: Was any business conducted?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

REDUCTION OF THE SUBSIDY GRANTED TO THE P. & O. COMPANY AND TO THE RAILWAYS FOR CARRIAGE OF MAILS.

539. ***Seth Govind Das:** (a) Will Government be pleased to state whether Government have come to the conclusion of reducing the subsidy granted to the P. and O in view of the diversion of the first class mails to the air-services?

(b) If the answer to part (a) be in the affirmative, will Government please state what the conclusions are?

(c) If the answer to part (a) be in the negative, will Government state how long will it take to arrive at a decision and the reasons for the delay thus caused?

(d) Have Government considered the reduction of consideration to Railways as a result of the development of internal air lines in this country? If so, what are their conclusions in the matter?

The Honourable Sir Frank Noyce: (a), (b) and (c). I presume the Honourable Member is referring to the first class mails which are despatched at present by air to the West. If so, I may mention that the amount of such mails is only a small fraction of the total mails of all classes, including parcel mails, which the P. and O. Company continue to carry from Bombay to the West under a contract with His Majesty's Postmaster-General. In the circumstances no question of reducing the Indian share of the P. and O. payments arises at present.

(d) Payments to railways are based on the accommodation actually occupied for the conveyance of mails and this accommodation is varied according as the average volume of mails to be carried daily increases or decreases. The development of internal air lines has not materially affected the average daily volume of mails carried by railways. If the volume is materially reduced, the amount of reserved accommodation will also be reduced, with an automatic reduction in payments to railways.

Mr. S. Satyamurti: May I know what are the terms of the contract between the Peninsular and Oriental Company and the Government of India, and whether one of the terms is that the amount of payment is dependent on the quantity of mails carried?

The Honourable Sir Frank Noyce: I require notice. It is really a very technical matter, and I should prefer to have notice.

Mr. S. Satyamurti: The Honourable Member said a small fraction; may I know what is the amount roughly speaking of the mail now carried by air, which used to be carried by the steamers before?

The Honourable Sir Frank Noyce: I should prefer to have notice of that also. It is, I think, obvious that there are many letters carried by air mail that would not be sent by sea in any case, and that all the letters which are sent by air cannot be regarded as a diversion from the sea mail.

Mr. S. Satyamurti: Have Government considered or do they propose to consider the question of how far the present volume of mails carried by the Peninsular and Oriental Company compares with the volume which they used to carry before, and examine the question of a proportionate reduction in the amount of contribution?

The Honourable Sir Frank Noyce: Of one thing I can inform the Honourable Member, and that is that the total amount paid for this contract has remained the same since 1908 in spite of the very large increase in the volume of mails carried since then.

Mr. S. Satyamurti: When does the contract expire?

The Honourable Sir Frank Noyce: It is due to expire in 1939. A year's notice has to be given of termination and then it expires two years afterwards.

Mr. S. Satyamurti: Will Government consider all these and other relevant questions before they decide whether to give notice or not?

The Honourable Sir Frank Noyce: It has been explained more than once in this House that this is a contract entered into by the British Post Office; it is not entered into by India.

Seth Govind Das: Have the Government of India no voice in the matter?

The Honourable Sir Frank Noyce: Yes, certainly, as regards the matters, which they can discuss with His Majesty's Government.

Mr. S. Satyamurti: Will the Government of India take up the question of entering into a contract directly for the carriage of mails, with the Peninsular and Oriental Company, and not agree to the British Government doing the contract for us?

The Honourable Sir Frank Noyce: As I have said, the contract does not now expire till 1939, and it is too early, in any case, to consider questions of that kind.

IMPERIAL MAIL TRAIN.

540. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether there is a train service in this country called "The Imperial Mail Train";
- (b) whether they have considered that there is absolute necessity for this service in this country;
- (c) whether there is a similar train service for such a purpose in any other country of the world; and if so, the names of those countries, and if not, whether they are prepared to consider the advisability of abolishing this practice in this country;
- (d) what the cost of this train service to the country is;
- (e) what the total revenues derived from that service are; and
- (f) the reasons for retaining the service of such a train?

The Honourable Sir Muhammad Zafrullah Khan: I would refer the Honourable Member to the reply given to his question No. 1451 on the 4th April, 1935. The information then promised is included in one of the statements laid on the table of the House on the 4th February, 1936.

Seth Govind Das: Are any lower class passengers allowed to travel by this train?

The Honourable Sir Muhammad Zafrullah Khan: No. Only first class passengers.

Seth Govind Das: In the present circumstances when there is such a huge loss in railway revenues, what is the use of continuing this mail?

The Honourable Sir Muhammad Zafrullah Khan: I think so long as the Railway Mail Service which it caters for continues to pay the greater part of the cost of running, the mail should continue to run.

Mr. T. S. Avinashilingam Chettiar: Is that mail train self-supporting?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that question.

Mr. S. Satyamurti: What are the financial commitments of running this Imperial Mail train? What is the income, and what is the expenditure?

The Honourable Sir Muhammad Zafrullah Khan: That is the same question as Mr. Chettiar's.

Mr. S. Satyamurti: Have Government examined this question, especially in the present state of dolorous railway finances?

The Honourable Sir Muhammad Zafrullah Khan: As I have said, I shall require notice of that question.

Mr. T. S. Avinashilingam Chettiar: Will the Honourable Member have the matter examined?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will put down a question, I shall look into the matter and give my considered reply.

CONSTRUCTION OF A NEW PLATFORM AT THE NEW DELHI STATION.

541. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether Government sanctioned the construction of new platform at the New Delhi station;
- (b) the cost of the new platform;
- (c) the purpose for which it has been constructed;
- (d) the special need actuating the urgent construction of the platform;
- (e) whether it is a fact that over three hundred workmen have been engaged day and night to complete the construction at the earliest possible date; and
- (f) whether marble floorings and decorations are in the list of construction?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b), (c), (d), (e) and (f). Do not arise.

Mr. S. Satyamurti: A new platform was constructed recently?

The Honourable Sir Muhammad Zafrullah Khan: I said the platform had been there for a long time.

Mr. S. Satyamurti: Then, why an expenditure of Rs. 48,700?

The Honourable Sir Muhammad Zafrullah Khan: That was the expenditure for erecting a shelter and providing lights, etc.

REFUSAL TO RENEW MR. SUBHAS CHANDRA BOSE'S PASSPORT BY THE BRITISH AMBASSADOR OF VIENNA.

542. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether Mr. Subhas Bose's passport for renewal to visit all countries of the British Empire was refused by the British Ambassador, Vienna for permit into Great Britain;
- (b) whether the Ambassador intimated to Mr. Bose the term of exclusion of Great Britain from the British Empire after the renewal of the passport;
- (c) what are the reasons of the Ambassador for so refusing the permit into Great Britain;
- (d) whether the Ambassador acted as he did in consultation with His Majesty's Government, and if so, what was their decision in the matter;
- *(e) whether they ascertained the reasons actuating His Majesty's Government to direct their Ambassador to refuse the permit; and
- (f) whether they propose to ascertain full particulars from the Secretary of State with reasons for refusing permit to Mr. Bose to visit Great Britain and lay on the table of this House and if not, why not?

The Honourable Sir Henry Craik: (a) to (c). I would invite the Honourable Member's attention to the reply given by me on the 6th February to Mr. Satyamurti's question No. 101. Mr. Bose was recently furnished with a fresh passport by His Majesty's Consul at Vienna, as the original passport did not contain space for the grant of further travel facilities. The new passport was not endorsed for the United Kingdom, but Mr. Bose was informed that, if he cared to submit an application for permission to visit England, through the Consulate at Vienna, it would be forwarded to the proper quarter. No such application has been made by Mr. Bose to date so far as I am aware.

(d) Yes. The decision was not to make the passport valid for the United Kingdom.

(e) and (f). I have nothing to add to the reply given by the Under Secretary of State for India in the House of Commons to which I referred in my reply to Mr. Satyamurti's question.

Mr. T. S. Avinashilingam Chettiar: Has the passport to Mr. Bose been refused by His Majesty's Government after consultation with the Government of India?

The Honourable Sir Henry Craik: I made that clear in my reply to Mr. Satyamurti's question on the 6th February. The Government of India were not consulted.

RESEARCHES TO FIND AND IMPROVE THE QUANTITY AND QUALITIES OF THE BYE-PRODUCTS OF THE COAL.

543. ***Seth Govind Das:** (a) Will Government be pleased to state whether they made any researches with a view to finding and improving the quantity and qualities of the bye-products of the Indian coal industry? If so, what are their decisions?

(b) If the answer to part (a) be in the negative, are Government prepared to take up the research at an early date? If not, why not?

The Honourable Sir Frank Noyce: (a) No.

(b) No such research is at present contemplated. Government have so far not received any proposal for research in this direction.

TEA GARDENS IN ASSAM.

544. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the number of tea gardens in the Assam and Surma Valley districts that come within the purview of inspection annually;
- (b) the number of tea gardens that were inspected during the last year under report;
- (c) the number of gardens that were not inspected;
- (d) the number of European owned and managed gardens in the two valleys;
- (e) the number of Indian owned and European managed gardens in the two valleys of Assam;
- (f) the acreage of land under tea cultivation under European ownings;
- (g) the total acreage of land leased out for tea garden purposes;
- (h) the total acreage of land under tea cultivation both under Indian as well as European ownings in the tea districts of the Assam province; and
- (i) the total revenues contributed to the Central Government from the tea industry in Assam?

The Honourable Sir Frank Noyce: (a), (b) and (c). The figures are:

Tea estates—763.

Tea estates inspected—425.

Tea estates not inspected—338.

(d) to (g). Government have no information.

(h) On the 31st December, 1933, 430,267 acres were under tea cultivation.

(i) The tea industry as such does not make a direct contribution but those engaged in it are subject to taxes on income for which no separate figures are available.

Seth Govind Das: Are Government aware that up to the 30th June, 1932, an annual report on emigrant labour in the province of Assam was being published and since then this publication has been stopped?

The Honourable Sir Frank Noyce: Yes, Sir, because a new Act came into force that year known as the Tea Districts Emigrant Labour Act. I understand that a report on the working of that Act up to the end of the last financial year will shortly be published.

TEA GARDENS IN ASSAM.

545. ***Seth Govind Das:** Will Government please state:

- (a) the principle behind the inspection of tea gardens;
- (b) the officers who conduct the inspection;
- (c) the fee they get for such inspection of the tea garden contributing for every inspection;
- (d) how many gardens on the average fall to the lot of the district officers who conduct the inspection;
- (e) whether the district officers who conduct the inspection, if they do it, beside their own duties, get sufficient time to make thorough and efficient inspections;
- (f) what is the time required for a good and systematic inspection of going through both the books, lines, as well as making first-hand enquiries of the workers about their real state of circumstances;
- (g) whether there are gardens that were not inspected owing either to lack of opportunities, or time, or otherwise:
 - (i) within a year,
 - (ii) within the course of two years even,
 If so, the number of such gardens;
- (h) whether they at times depute special officers to make special inspections from time to time, if so, by whom and whether such inspections are made under surprising circumstances; if not, what the reasons are for not doing so;
- (i) whether, in view of the matter that the workers in the tea gardens are from other provinces of the country, Government ever depute any special officers for making special inspections to find out the existing conditions under which the workers live and work and to suggest their betterment; if not, why not?

The Honourable Sir Frank Noyce: (a) and (b). Under the Tea Districts Emigrant Labour Act of 1932 the tea estates are visited by the Controller of Emigrant Labour and District Magistrates and Sub-Divisional Magistrates to the extent necessary to ensure the proper enforcement of the Act.

(c) None.

(d) The inspection is not confined to District Magistrates, so that no average can be struck.

(e) and (f). As I have already explained, the inspection is not done exclusively by District Magistrates. The only inspection for central purposes is that made for the purposes of the Tea Districts Emigrant Labour Act, and this is not necessarily a systematic inspection of the kind the Honourable Member appears to have in mind

(g) I have no information beyond that given in reply to part (c) of the previous question.

(h) and (i). The powers of inspection, so far as the Central Government are concerned with them, are limited to those necessary for the purposes of the Act to which I have referred and are not of a general character. The Controller of Emigrant Labour, who is primarily responsible to the Government of India for the administration of the Act, is specially appointed for this purpose and can inspect without notice when necessary. Tea gardens in Assam were visited by the Royal Commission on Labour in 1930 and I invite the Honourable Member's attention to the evidence they recorded and to their report.

Seth Govind Das: Are Government aware that in 1932 not a single inspection was done by the Civil Surgeon, according to the report?

The Honourable Sir Frank Noyce: No, Sir, I am not aware of that. My Honourable friend seems to be referring to the state of affairs three years ago.

Seth Govind Das: There has been no report published since then, so I have to refer to that report.

The Honourable Sir Frank Noyce: I have pointed out that we are now working on an entirely different system resulting from the Act which was passed in 1932. And I hope, as I have said, shortly to be in a position to place in the Library of the House a report on the working of that Act.

Seth Govind Das: Three years have already elapsed since this Act was passed and we do not know what has been happening till now. So may I know from the Honourable Member how long he expects to take in submitting this new report to the House?

The Honourable Sir Frank Noyce: Not long, I hope, Sir.

TEA GARDENS IN ASSAM.

546. ***Seth Govind Das:** Will Government state:

- (a) the number of workers, permanent and temporary, that work in the tea gardens on the average and their total population including their dependents in the tea districts of Assam from other provinces of India;

- (b) whether Government have suggested to the Delimitation Committee the manner in which they could be represented by the workers themselves in the Assam Assembly under the Reforms constitution; if not, what are their reasons for not doing so, and their responsibilities in the matter and whether they are going to discharge those responsibilities; if so, how?
- (c) whether they are aware of any discrimination shown on the part of the inspecting officers between the European and Indian gardens in matters of rigidity and strict inspection, and whether they are prepared to engage special inspecting officers from the workers' provinces entirely for this purpose; if not, why not;
- (d) whether the circumstances and principle of inspection for and in the other tea districts of Bengal and other provinces differ in any way; if so, in what manner;
- (e) whether, in view of the remote part of the workers' situation in Assam, and the absence of a trade union to protect their interests, they propose to consider the advisability and feasibility of deputing one officer to every tea district to protect their interests;
- (f) what are the recommendations of the Royal Labour Commission that were given effect to for the benefit of the tea garden workers in the province of Assam; and
- (g) whether they have deputed any officer to tour and find out the existing state of affairs of the workers after the investigation by the Royal Commission?

The Honourable Sir Frank Noyce: (a) The average number of *settled* and *basti* labourers on the books of tea estates for the two months March and September, 1934, is 5,26,443 and 93,815 respectively. The figures of total population are not available.

(b) The attention of the Honourable Member is invited to the proposals of the Government of Assam which were published in the Assam Gazette of the 7th August, 1935. A copy is available in the Library of the House. The latter part of the question does not arise.

(c) No. Government have no reason to believe that the existing system of inspection has worked unsatisfactorily.

(d) Tea districts within the meaning of the Tea Districts Emigrant Labour Act are confined to Assam.

(e) No. The Government of India are concerned with the administration of the Tea Districts Emigrant Labour Act, 1932, and the rights of workers under that Act are sufficiently safeguarded.

(f) The attention of the Honourable Member is invited to the information published in the Third Report showing the action taken by the Central and Provincial Governments on the recommendations made by the Royal Commission on Labour in India, a copy of which is in the Library of the House.

(g) No necessity has arisen for such a deputation.

Prof. N. G. Ranga: Do Government receive any annual reports about the condition of workers on the Assam plantations?

The Honourable Sir Frank Noyce: The Government of India are only concerned with the working of the Tea Districts Emigrant Labour Act.

Prof. N. G. Ranga: Then, how are Government in a position to say in answer to clause (c), that the present conditions are quite satisfactory, and, therefore, no special investigation is found to be necessary?

The Honourable Sir Frank Noyce: As I said, we have no reason to believe that the existing system of inspection has worked unsatisfactorily. We have our Controller of Emigrant Labour and are satisfied that he is carrying out his inspections satisfactorily.

Mr. N. M. Joshi: May I ask whether the Government of India are aware that very few of the recommendations of the Royal Commission on Indian Labour have been given effect to by the Assam Government?

The Honourable Sir Frank Noyce: I have referred my Honourable friend to the Third Report showing the action taken by the Central and Provincial Governments; he can ascertain the facts for himself and we also know them for ourselves. I am aware that some of the recommendations of the Royal Commission have not yet been carried out due to the usual reason, lack of funds; Assam is not a wealthy province.

Mr. N. M. Joshi: May I ask whether the Government of India are aware that, under the Government of India Act, they have powers of supervision and control over the Local Governments in the matter of labour welfare, and if they are aware of their power, how they have exercised that power in seeing that the recommendations of the Royal Commission are given effect to?

The Honourable Sir Frank Noyce: It would be perfectly easy to exercise that power if funds were provided at the same time. My Honourable friend knows the financial position of Assam and the impossibility, therefore, of calling upon the Local Government to carry out recommendations which involve expenditure which it is not in a position to meet.

Prof. N. G. Ranga: What steps have been taken so far by the Government of India to exercise their power of supervision over the Assam Government in protecting the interests of the workers on the tea estates?

The Honourable Sir Frank Noyce: The Government of India can do no more than call the attention of the Government of Assam to the recommendations of the Royal Commission on Labour, and the Assam Government will do their best to carry those out when they are in a financial position to do so.

Mr. S. Satyamurti: Will Government consider the desirability of sending out a Commissioner or a Commission to inquire into the conditions of these labourers, considering the time which has elapsed since the Royal Commission visited there, and reported, and also the fact that a large number of workers from other provinces have settled in these tea estates?

The Honourable Sir Frank Noyce: Government have their own officer for that, the Controller of Emigrant Labour, and it is his duty to see that the rights of the labourers in the Assam tea estates are safeguarded. And, speaking generally, I may say that there is no reason to believe that the conditions of the labourers in the Assam tea estates are not satisfactory. My Honourable friend, Mr. Joshi, knows what they are far better than I do, and he knows that they compare very favourably with those of other workers in India.

Seth Govind Das: If complaints are made by labour leaders, will Government have an investigation then?

Mr. President (The Honourable Sir Abdur Rahim): That is a hypothetical question.

PASSPORTS FROM AND TO FIJI.

547. *Seth Govind Das: (a) Will Government be pleased to state whether the passport of an Indian coming from Fiji is not valid for return to Fiji from this country without an endorsement by the Government of this country?

(b) Do Government impose any restrictions on the passports of those Indians from Fiji who are on a visit to this country and who intend to return back to Fiji?

(c) What generally are the restrictions, if any, so imposed?

(d) What are the principles and intentions of Government for doing so?

(e) What are the reasons of Government for doing so?

Sir Aubrey Metcalfe: (a) No special endorsement is required by an Indian born in Fiji and holding a passport issued by the Government of Fiji, in order to enable him to return to the Colony. In all other cases, Indians coming back to India from Fiji and holding only British passports or travel documents issued by the Fiji Government are required before they may re-enter the Colony, to obtain landing permits from the Fiji Government. These permits have then to be endorsed by the Consular authorities in India in accordance with procedure prescribed in 1933 at the request of the Fiji Government.

(b) The Government of India have imposed no restrictions in such cases but the Government of Fiji have recently prescribed the procedure explained in the reply to part (a) of the question.

(c), (d) and (e). Do not arise so far as the Government of India are concerned but it is understood that the Fiji Government have adopted this new procedure in order to prevent the unregulated return to Fiji of Indians not born in Fiji, who have in the past obtained passports from the Fiji Government and thus been able to return to the Colony without any restriction. This measure has, it is understood been adopted in order to prevent the arrival in Fiji of artisans for whom there is no work.

Mr. Lalchand Navalrai: May I know from the Honourable Member if there have been any instances in which the Government of India have refused passport for their return?

Sir Aubrey Metcalfe: Not that I am aware of, Sir.

DISCRIMINATION IN CHARGING RAILWAY FREIGHT ON COAL.

548. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether there is any discrimination in the charging of railway freight on the different qualities of coal of the different mines of one place;
- (b) whether the extra freight charged for Samla coal, falls within this category;
- (c) the reasons for the discrimination;
- (d) whether they are aware that, as a result of the discriminative railway freight charged, the invariable dislocation of trade occurs;
- (e) whether they propose to intervene in the matter immediately and bring about the uniformity of the freights on all coals from a particular locality; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). There is no discrimination as freight is calculated on the scale of rates in force on the distance from the chargeable point fixed for each colliery siding. But on export coal a distinction is made between graded and non-graded coal; the former getting a rebate of $37\frac{1}{2}$ per cent. of the freight charges and the latter a rebate of 25 per cent.

(d) No.

(e) Does not arise.

FATAL ACCIDENTS AND CASUALTIES IN INDIAN MINES.

549. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the number of fatal accidents and the number of casualties that occurred in the mines of this country during the year 1934;
- (b) the number of men and women (separately) that received compensation under the Act; and
- (c) the number of cases that went either in default or did not fall within the purview of the sections of the Workmen's Compensation Act?

The Honourable Sir Frank Noyce: (a) There were 177 fatal accidents in mines subject to the operation of the Indian Mines Act, during the year 1934. The number of persons killed and seriously injured was 209 and 725, respectively.

(b) and (c). The particulars are not available, as statistics are not collected in the form necessary to provide them.

Seth Govind Das: Have these accidents increased during the past two or three years?

The Honourable Sir Frank Noyce: I could not say: I should like to have notice

Mr. S. Satyamurti: May I know if there is any truth in the allegation that certain recommendations were made in order to minimise accidents in mines, that those recommendations have not been carried out, and that was the cause of the latest accident?

The Honourable Sir Frank Noyce: No, Sir, I have no ground for believing that. I have not had a report on the causes of the latest accident yet; the matter is still under enquiry.

Mr. S. Satyamurti: May I know if the Conference, which the Honourable Member is convening, I believe, tomorrow, will go into this question, as to whether at any times recommendations were made by competent authorities to lessen the chances of accidents in mines, and whether those recommendations were fully carried out or not.

The Honourable Sir Frank Noyce: That, Sir, is not the main intention of the Conference tomorrow, which is concerned with the prevention of further accidents. I have, as I have said, no reason to believe that the recent accident is due to failure to carry out any recommendations.

Mr. S. Satyamurti: May I know, Sir, how many coal mines are there working in this country which are not within the scope of the Indian Mines Act?

The Honourable Sir Frank Noyce: I should say very few, if any; but I should like to have notice: no important mines certainly. I do not know quite how we stand in regard to the very small mines

Mr. S. Satyamurti: Will Government consider extending the scope of the Act, so as to include all mines where miners are working?

The Honourable Sir Frank Noyce: I shall be very glad to find out and inform my Honourable friend exactly what the position is.

Seth Govind Das: Are Government aware that accidents are more frequent in mines owned by private individuals than in those owned by Government?

The Honourable Sir Frank Noyce: If that is so, it would be a testimony to the efficiency with which the Government of India carry out the Regulations in their own mines. But, in regard to accidents, so much depends on the character of the mines, how long they have been working and what their conditions are generally. It is not necessarily a question of ownership.

OPENING OF AN AERODROME AT NAGPUR.

550. ***Seth Govind Das:** Will Government be pleased to state:

(a) whether there was any proposal for the opening of a commercial aerodrome at Nagpur, and whether they subsequently refused to sanction it;

(b) what are the reasons for such refusal;

- (c) whether they contemplate constructing an aerodrome at Gaya, Gauhati and Jharia; and
- (d) whether they are prepared to consider the advisability of constructing an aerodrome at Jubbulpore at the earliest possible date?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The Government of India have decided to concentrate in the first instance on the development of the ground organisation on the Trans-India air route and the principal feeder routes, Karachi-Madras and Karachi-Lahore. Funds cannot be made available at present for the construction of a civil aerodrome at Nagpur.

(c) There is already a civil aerodrome at Gaya. It is not intended to construct civil aerodromes at Gauhati and Jharia.

(d) Not at present.

BOYCOTT OF INDIAN GOODS BY COUNTRIES AFTER THE OTTAWA TRADE AGREEMENT.

551. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the names of the countries that have either restricted or completely boycotted Indian goods after the Ottawa Agreement;
- (b) what are the restrictions imposed by the European countries;
- (c) whether those countries give any reason either to the Government of India or to that of Great Britain, for their so imposing the restrictions on Indian goods; if so, whether Government took any suitable action in the matter and what the action, if any, was?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member is referred to the reply given by me to Mr. T. S. Avinashilingam Chettiar's starred question No. 6 on the 2nd September, 1935, and the supplementary questions and answers arising therefrom.

Mr. S. Satyamurti: What is the answer to part (c) of the question?

The Honourable Sir Muhammad Zafrullah Khan: Whether those countries gave any reason to the Government of India? They were not bound to do so.

Mr. S. Satyamurti: Did they give any reasons at all?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Seth Haji Abdoola Haroon: Is it a fact that because we have lately imposed a duty on Siam rice and Bangkok rice, the Government of France have imposed some duty on our groundnuts and other seeds?

The Honourable Sir Muhammad Zafrullah Khan: I shall require notice of that question.

MALPRACTICES ADOPTED BY JAPANESE TEXTILE MANUFACTURERS BY EXPORTING CLOTH AND YARN INTO INDIA AND PASSING THEM OFF AS "INDIAN".

552. *Seth Govind Das: Will Government be pleased to state:

- (a) whether they are aware of the malpractices adopted by the Japanese textile manufacturers to defraud the Indian consumer by exporting their cloth and yarn to India and passing them as "Indian made";
- (b) what action they have taken to prevent such practices of frauds;
- (c) whether they were apprised by some commercial bodies of this practice and of the handicaps such practices impose on the trade of this country; and
- (d) in the event of the Government not having taken any steps until now, whether they propose to take immediate and effective steps to put an end to this practice, if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a)—(d). I would refer the Honourable Member to the reply given to Mr. Satyamurti's question No. 110, on the 6th February on the same subject.

Mr. S. Satyamurti: Has any progress been made since then?

Mr. President (The Honourable Sir Abdur Rahim): Seth Govind Das.

The Honourable Sir Muhammad Zafrullah Khan: The reply given on that occasion was that the law was adequate. What further progress did the Honourable Member expect?

Mr. S. Satyamurti: Some enquiry into the extent of that competition.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has already called on the Honourable Member to put his next question.

Mr. S. Satyamurti: But the Honourable Member put a question to me, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Satyamurti) is not bound to answer any question, though it may have been put to him.

COOLIES WORKING IN THE TEA GARDENS OF ASSAM.

553. *Seth Govind Das: Will Government be pleased to state the total number of coolies (including their dependents) that are now working in the tea gardens of Assam as permanent tea garden labourers residing inside the gardens?

The Honourable Sir Frank Noyce: The total number of adult labourers (working and non-working) and children living on tea estates in Assam on the 30th September, 1934, was 11,29,000.

Seth Govind Das: Has it increased since the previous year?

The Honourable Sir Frank Noyce: I should require notice of that.

Mr. S. Satyamurti: Have Government any information about the province from which these workers come?

The Honourable Sir Frank Noyce: I must also ask for notice of that question.

LABOURERS IN ASSAM FROM VARIOUS PROVINCES OF INDIA.

554. ***Seth Govind Das:** (a) Will Government be pleased to state the number of labourers in Assam from the various provinces of India that are employed in the various industries and on the public works, including those that are also employed by private concerns?

(b) Is it a fact that a large number of labourers are living in *busties* near about the tea gardens, who are also from the various provinces of the country?

(c) What were the proposals put forward by the Government of Assam to the Delimitation Committee with regard to the workers, referred to in part (b) with regard to their right of representation?

(d) Are Government aware that eight seats have been allotted for the tea planters in the Assam Assembly?

(e) Are Government aware that the local labourers of Assam, whether they are Assamese or from other provinces (immigrants), are excluded from the voters' lists under the suggestion of the Government of Assam? If so, why?

(f) Do Government propose to reconsider the whole subject and give due rights to those who have been excluded under the present suggestion of the Government of Assam?

(g) Are Government prepared to act in this matter on behalf of the various Provincial Governments and protect the interests of the immigrants in the Assam province?

The Honourable Sir Nripendra Sircar: (a) Government have no information.

(b) For the year ending 30th September, 1934, 93,815 *basti* labourers were on the books of tea estates, but Government have no information as to their domiciles.

(c) to (g). The proposals of the Government of Assam were published in the Assam Gazette of the 7th August, a copy of which is available in the Library of the House. The whole matter has recently been under the consideration of the Indian Delimitation Committee and, pending the publication of their report, the Government of India are not in a position to give any detailed reply to the Honourable Member's questions.

Mr. S. Satyamurti: What is the answer in part (e) of the question?

The Honourable Sir Nripendra Sircar: If by part (e) is meant whether they are excluded from the voters' lists under the proposals of the Assam Government, the answer is to be found in the Assam Gazette of the 7th August. There is a complete answer there, and, to the best of my recollection, the answer ought to be in the affirmative, but I cannot remember positively about it.

Mr. S. Satyamurti: When they consider the Delimitation Committee's Report, will Government kindly consider the proposal that these labourers ought not to be excluded from the voters' lists if they are otherwise qualified?

The Honourable Sir Nripendra Sircar: I have already informed the House that we have got to consider all this after we receive the Report of the Indian Delimitation Committee.

Mr. S. Satyamurti: May I remind my Honourable friend that the Delimitation Committee does not deal with franchise questions? They deal only with the delimitation of constituencies, manner of voting, and so on. May I know, if the Government of India find that their report excludes these unfortunate labourers, they will be included if they are otherwise qualified under the general rules of franchise laid down for the people of Assam?

The Honourable Sir Nripendra Sircar: I have not followed my Honourable friend's question put to me just now. It is a question of opinion whether these labourers have been unfortunately excluded or fortunately included, and so on. What have I to answer as a question of fact?

Mr. S. Satyamurti: The question of fact I want an answer on is this, whether, as a matter of fact,—I think my Honourable friend said to the best of my recollection that the answer was in the affirmative that these labourers from other provinces are excluded, and even Assamese, from the voters' lists in the province of Assam—I want to know whether if that is a fact, the Government will consider the desirability of including them, if they are otherwise qualified, as and when they make up their minds at the proper time.

The Honourable Sir Nripendra Sircar: That consideration can only arise at the proper time; as to what Government will do in future is not a question of fact.

Mr. T. S. Avinashilingam Chettiar: What is the answer to clause (f)?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member ought to have listened when the answer was given.

BRITISH EMPIRE FORESTRY CONFERENCE HELD IN SOUTH AFRICA.

555. ***Seth Govind Das:** Will Government be pleased to state:

- (a) when the British Empire Forestry Conference was held last in South Africa;
- (b) how many delegates in all attended the Conference;
- (c) how many from each of the countries of the Empire attended the Conference;
- (d) whether the Empire Forestry Conference is generally held once in five years;
- (e) whether it is a fact that no Indians were sent from this country to represent it;
- (f) whether there are no suitable Indian officers in this country who could represent their cause at that Conference;

- (g) whether the Inspector General of Forests is regarded as the only capable person to represent Indian interests at a Conference like that referred to in part (a) above;
- (h) whether it is a fact that the Provincial Governments have expressed their opinion that there were no officers in their respective provinces, who were capable of representing Indian interests;
- (i) whether there are not non-official Indians in this country who could represent Indian interests at a conference which is held once in five years;
- (j) their reasons for not deputing non-official Indians, in the event of their not finding suitable Indian officers, for the purpose;
- (k) whether the Inspector General of Forests happens also to be the Director of the Dehra Dun Forest Institute;
- (l) whether they are aware of the public indignation expressed at the exclusion of the Indians from the delegation to the Conference;
- (m) the action taken by Government to satisfy the public of this country;
- (n) the cost of a member of the delegation to this conference;
- (o) whether it is a fact that financial stringency has been attributed as one of the reasons for the exclusion of Indians from the delegation to the Conference;
- (p) the revenues and acreage of forests in the other countries of the Empire in comparison to that of India; and
- (q) whether they will place on the table a copy of the proceedings and report of the British Empire Forestry Conference held last in South Africa?

Sir Girja Shankar Bajpai: (a) The Conference was held in September-October, 1935.

- (b) About sixty to seventy.
- (c) Government have no definite information.
- (d) Yes, but owing to general depression the last conference was held after seven years.
- (e) The reply is in the affirmative.
- (f) to (o). The Conference discusses technical subjects which only forest officers of experience can deal with. The Government of India could not omit the Inspector General of Forests from the delegation as he is the officer best qualified by his experience to explain the problems and practice of their own forests and institutions. Local Governments whose forest areas are much larger than those of the Government of India were also asked whether they would send representatives. For financial reasons only two were able to avail themselves of the invitation; they chose delegates that they considered to be most suitable. The Government of India also approached Messrs. Martin and Company, Calcutta, who are their agents for the sale of their timber in India with a suggestion to depute an Indian member of their firm familiar with the timber trade in India for participation in the Conference as they thought that this was the most suitable method of associating a non-official Indian with their delegation. The firm, however, were unable to spare any one. The

Honourable Member can rest assured that the Government of India fully realise the importance of associating Indians with delegations that go to South Africa. If he will refresh his memory of the personnel of delegations which they have sent to Conferences with the Union Government in the past, he will find practical evidence of their having acted on this principle. Only financial stringency and the highly technical nature of the discussions prevented Indians being sent to the last Forestry Conference.

(p) A statement giving the information asked for is laid on the table.

(q) Copies of the proceedings of the Conference have not yet been received. When they are, the Honourable Member's request will be complied with.

Statement showing the Revenue and Acreage of Forests in India and other parts of the British Empire.

| Name of country. | Revenue derived from forests. | Area of State forests including forests owned by corporate bodies and private individuals. |
|---|--|--|
| | | Sq. miles. |
| 1. India | 1933-34 { Rs. 3,51,20,713 = £ 2,634,054 | 364,913 |
| 2. Great Britain | 1934 £172,953 | 4,930 |
| 3. Canada (including British Columbia). | Average of 1929-33. \$10,931,000 | 1,254,083 |
| 4. Union of South Africa | 1932-33 £81,388 | 16,527 |
| 5. Australia :— | | |
| (1) Federal Capital Territory | Not available. | 436 |
| (2) Queensland | Do. | 23,310 |
| (3) Tasmania | Do. | 7,600 |
| (4) Victoria | 1931-32 £77,189 | 21,854 |
| (5) Western Australia | 1933-34 £89,895 | 5,917 |
| (6) South Australia | 1931-32 £58,716 | 5,937 |
| (7) New South Wales | 1933 £139,211 | 10,337 |
| 6. Malay Peninsula | 1934 £137,000 | 41,390 |
| 7. Cyprus | 1933 £13,224 | 701 |
| 8. North Borneo | 1934 \$166,090 | 24,158 |
| 9. Brunei | 1934 \$8,292 | 2,220 |
| 10. Sarawak | 1934 \$111,557 | 41,000 |
| 11. Uganda Protectorate | 1933 £10,467 | 1,916 |
| 12. Tanganyika | Average of 1927-28 to 1930-31. £18,719 | 4,138 |
| 13. Sierra Leone | 1933 £22 | 805 |
| 14. Nigeria | 1932 £36,574 | 233,000 |
| 15. Colony and Protectorate of Kenya | 1932 £26,156 | 6,021 |
| 16. Gold Coast | 1931-32 £400 | 13,900 |
| 17. Nyasaland | Average 1931-33 £9,688 | 4,441 |
| 18. Southern Rhodesia | .. £2,000 | 88,809 |
| 19. Colony of Mauritius | 1934 { Rs. 97,580 = £7,319 | 175 |
| 20. Trinidad and Tobago | 1932 £11,491 | 913 |
| 21. British Guiana | 1933 £10,437 | 78,294 |
| 22. British Honduras | 1933-34 \$31,255 | 8,007 |

N. B.—The figures are the latest available. In certain cases where proper surveys of forests have not yet been made the figures for area are rough estimates made by the forest authorities concerned.

Mr. M. Ananthasayanam Ayyangar: Is there not a single Indian official technically qualified for that purpose?

Sir Girja Shankar Bajpai: I did not say that. I said that we sent only one representative, because we could not afford to send more, and we sent the Inspector General of Forests.

Seth Govind Das: And that one representative could not be an Indian?

Sir Girja Shankar Bajpai: As I said, we sent the head of the service, the Inspector General of Forests, who happens to be a European.

Seth Govind Das: Has that post ever been filled by an Indian?

Sir Girja Shankar Bajpai: If my Honourable friend will study the facts regarding the recruitment of the Inspector General of Forests, he will find that no Indian officer has yet attained to the requisite seniority to become the Inspector General of Forests.

STATISTICS ABOUT THE POSITION OF UNEMPLOYMENT OF MIDDLE CLASS EDUCATED PERSONS.

556. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether they have in their possession any statistics with regard to the position of unemployment of the middle class educated in this country;
- (b) their sources of information;
- (c) whether the collection of statistics is complete;
- (d) whether they are prepared to lay a copy of the statement on the table;
- (e) in the event of their collection being incomplete, how soon they are likely to be in possession of the complete statement;
- (f) what action, if any, they have taken to remedy the problem of unemployment in this country; and
- (g) if no action has been taken, their reasons for failing to take suitable measures?

The Honourable Sir Frank Noyce: (a) to (g). I would refer the Honourable Member to the answer given on the 11th September, 1935, to Mr. Asaf Ali's starred question No. 265 and to part (c) of the answer given on the 7th February, 1936, to Mr. Akhil Chandra Datta's starred question No. 188.

AGRICULTURAL INDEBTEDNESS.

557. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the total amount of agricultural indebtedness in British India;
- (b) whether the recommendations of the Banking Enquiry Committee have been given effect to as a measure to remedy the agricultural indebtedness in this country to the fullest extent, and
- (c) the actions taken, and how far they have succeeded?

The Honourable Sir James Grigg: (a) No such information is available.

(b) and (c). The Honourable Member does not specify to which of the many recommendations made by the Indian Central Banking Enquiry Committee he refers. Most of its relevant recommendations fall within the provincial rather than the Central sphere. Debt legislation has been undertaken in many provinces in pursuance of the report. A provision also exists under section 54 of the Reserve Bank of India Act for the creation of an Agricultural Credit Department which will be set up in due course. It is impossible to estimate what success the measures already undertaken have achieved.

Prof. N. G. Ranga: Is it not a fact that the Central Banking Enquiry Committee recommended the passing of a rural insolvency law by the Government of India?

The Honourable Sir James Grigg: I think they did.

Prof. N. G. Ranga: Why is it then that the Government of India have so far failed to bring forward any such legislation about rural insolvency law?

The Honourable Sir James Grigg: That is a matter of history: the Honourable Member had better give me notice of that.

Seth Govind Das: As far as the reply to part (a) is concerned, may I ask whether the Honourable Member does not think it advisable in the present circumstances to have an inquiry so that we may be able to know to what extent our agricultural population is indebted?

The Honourable Sir James Grigg: No; it is quite impossible.

Prof. N. G. Ranga: Is it not a fact that the Economic Conference, that was held here, under the auspices of the Government of India, has recommended certain methods to relieve agricultural indebtedness?

* **The Honourable Sir James Grigg:** The Conference held by my predecessor?

Prof. N. G. Ranga: Yes.

The Honourable Sir James Grigg: My recollection of that Conference in the matter of agricultural indebtedness was that it firmly passed the buck back to the provinces.

Prof. N. G. Ranga: Is it not a fact that it expected the Government of India to do its best to liquidate this agricultural indebtedness?

Mr. President (The Honourable Sir Abdur Rahim): That is not a question of fact.

CONSUMPTION OF LIQUOR IN INDIA.

558. ***Seth Govind Das:** Will Government be pleased to state.

- (a) the population in India addicted to liquor;
- (b) the total annual consumption of foreign liquor in India and its cost;
- (c) the custom duty (total) annually received by Government during the last five years;
- (d) the quantity of liquor manufactured in this country annually since 1930-31;
- (e) the total cost of the liquor so manufactured and sold in this country during these five years;
- (f) the total amount of Government revenues derived by the provincial Governments under this head;
- (g) the total quantity of opium manufactured in this country during the last five official years;
- (h) the total quantity that has been consumed in this country annually during the last five official years;
- (i) the total quantity, if any, that has been exported from this country annually during the last five years;
- (j) the total revenue derived by Government under this head, both from the export duties as well as the opium auction revenues, annually during the last five fiscal years;
- (k) the total quantity of *ganja* and *charas* consumption in this country annually during the last five years;
- (l) the total cost of the quantities of *ganja* and *charas* consumed annually during the last five years; and
- (m) the total revenue received by Government under this head annually during the last five years?

Mr. A. H. Lloyd: (a) Not known.

(b) The consumption of imported foreign liquor is not known, but presumably, is equal over a series of years to the average annual imports. A statement showing the imports of foreign liquor for the last five complete financial years is laid on the table; the values shown in the statement are exclusive of duty.

(c), (f), (g), (h), (i) and (k). The required figures are also shown in the statements laid on the table.

(d), (e) and (l). Correct and complete information could not be obtained without asking for reports from the Local Governments, and even they would have great difficulty in ascertaining the cost of liquors made elsewhere than at Government distilleries. As Excise is a Provincial subject I should not feel justified in troubling them with such a request.

(j) There is no export duty on opium and there have been no auctions of opium since 1926. The gross receipts of Government from sales of opium to foreign Governments during the last five years are shown in the statement laid on the table.

(m) Figures showing revenue from *ganja* and *charas*, separately, are not available. A statement showing total revenue from hemp drugs of all sorts (*ganja*, *charas* and *bhang*) is laid on the table.

Statement showing imports of potable foreign liquor, into India its value and the amount of Customs duty realised thereon for the years 1930-31 to 1934-35.

| | Quantity imported. (Gallons (000)) | In thousands. Value (exclusive of duty). Rs. (000). | Customs duty. Rs. (000). |
|-------------------|--|--|-----------------------------|
| | | | |
| 1930-31 | 5,936 | 2,78,06 | 2,35,48 |
| 1931-32 | 4,503 | 1,80,09 | 1,85,26 |
| 1932-33 | 4,451 | 180,00 | 2,05,37 |
| 1933-34 | 4,219 | 1,79,31 | 2,10,16 |
| 1934-35 | 4,373 | 1,85,88 | 2,68,49 |

Statement showing revenue from liquor (excluding commercial spirits, including denatured spirits and medicated wines) of provincial Governments during 1930-31 to 1934-35.

| | In thousands. Rs. (000) |
|-------------------|----------------------------|
| 1930-31 | 11,51,35 |
| 1931-32 | 10,19,90 |
| 1932-33 | 10,52,27 |
| 1933-34 | 10,65,00 |
| 1934-35 | 10,70,63 |

Statement showing opium (Excise and Provision) manufactured at the Ghazipur Factory during the last 5 opium Seasons—1st October 1929 to September, 1930 to 1st October 1933 to September 1934.

| | Excise opium. | Provision opium. | In chests. |
|-------------------|---------------|------------------|------------|
| 1929-30 | 5,489 | 4082½ | |
| 1930-31 | 4,486 | 3058 | |
| 1931-32 | 3,776 | 1201 | |
| 1932-33 | 4,050½ | 1890 | |
| 1933-34 | 3,814 | nil | |

NOTE.—(1) Figures for financial years are not available.

(2) The opium content of a chest is :

| | |
|---------------------------|-----------|
| Excise opium | 60 seers. |
| Provision opium | 68 seers. |

Statement showing consumption of opium in British India during 1930-31 to 1934-35.

| | In seers. |
|-------------------|-----------|
| 1930-31 | 240,900 |
| 1931-32 | 262,764 |
| 1932-33 | 201,584 |
| 1933-34 | 202,471 |
| 1934* | 196,623 |

* Figures for 1934-35 not yet available.

Statement showing export of opium (Provision opium) from India and gross and approximate net revenue realised thereon during 1930-31 to 1934-35.

| | Quantity exported (in chests). | Gross revenue (in thousands of rupees). | Approximate net revenue (exclud- ing cost). (In thousands of rupees.) |
|-------------------|--------------------------------------|---|---|
| 1930-31 | 4,481 | 1,79,24 | 1,27,67 |
| 1931-32 | 3,911 | 1,56,44 | 1,07,40 |
| 1932-33 | 1,161 | 42,88 | 28,10 |
| 1933-34 | 2,822 | 1,12,88 | 82,35 |
| 1934-35 | 663 | 26,52 | 19,35 |

NOTE.—The exports during 9 months, April to December 1935, were 257 chests. Exports of opium, other than opium for medical and scientific purposes, have been discontinued since the 31st December 1935.

Statement showing consumption of ganja and charas in British India during 1930-31 to 1934-35.

| | | in seers. |
|-------------------|---------|-----------|
| | Ganja. | Charas. |
| 1930-31 | 179,184 | 59,389 |
| 1931-32 | 153,598 | 56,471 |
| 1932-33 | 154,821 | 55,461 |
| 1933-34 | 162,029 | 58,926 |
| 1934* | 160,824 | 58,956 |

* Figures for 1934-35 not yet available.

Statement showing total revenue realised from hemp drugs (ganja, charas, and bhang) by Provincial Governments in British India during 1930-31 to 1934-35.

| | In thousands. |
|--------------------|---------------|
| | Rs. |
| 1930-31 | 1,70,51 |
| 1931-32 | 1,61,09 |
| 1932-33 | 1,58,65 |
| 1933-34 | 1,58,92 |
| 1934-35* | 1,60,00 |

* This figure is approximate only. Full details have not yet been received.

Seth Govind Das: Is it a fact that, during the past three years (since 1932), the revenue under these heads is gradually increasing?

Mr. A. H. Lloyd: If the Honourable Member will kindly put down a question, I will look up the answer.

Mr. Lalchand Navalrai: May I know if foreign liquor is being allowed to be taken from one province to another, whereas the movement of country liquor is restricted as between provinces? If so, why is the distinction?

Mr. A. H. Lloyd: I am not sure that the facts are as stated by my Honourable friend. There is certainly no restriction that I know of on the movement of foreign liquor from one province to another: and I believe rules exist under which country-made liquor can be moved from one province to another. There has been considerable correspondence with Local Governments on the subject, and, to the best of my knowledge, effective arrangements were made.

Mr. Lalchand Navarai: Is it not a fact that country liquor made in Delhi and Punjab is not allowed to be taken to Sind and *vice versa*?

Mr. A. H. Lloyd: May I know what particular kind of country liquor the Honourable Member is referring to?

Mr. Lalchand Navarai: The Indian liquor that is being distilled in Karnal and other places and sold in Delhi.

Mr. A. H. Lloyd: If the Honourable Member will put down a question, I will have inquiries made.

POWER OF TERMINATION OR RENEWAL OF THE AGREEMENT BETWEEN INDIA AND BURMA AFTER SEPARATION.

559. ***Seth Govind Das:** (a) Will Government be pleased to state whether the power to terminate or renew the agreement between India and Burma, which will be enforced after the separation of Burma, will rest with the Government of Burma or with the Governor for Burma?

(b) Is it not a fact that trade, commerce and immigration are not within the exclusive responsibilities or special possibilities of the Governor (under the new Government of India Act, 1935), and will not the right to terminate or renew the agreement, or any part of the agreement, pertaining to the Government of Burma's rights in relation to this agreement rest with them? If not, why not?

(c) Are Government aware that, under the new constitution the Legislature, not the Governor, is free to develop their own fiscal and economic policy with complete freedom to negotiate agreements with any country?

(d) What actions do Government contemplate taking in the matter of modifying the terms of the agreement? If none, will Government be pleased to state their reasons for not doing so?

The Honourable Sir Nripendra Sircar: (a) to (d). The attention of the Honourable Member is drawn to the provisions of Article 17 of the draft Indo-Burma Trade Regulation Order made under sections 160 and 453 of the Government of India Act, 1935, which will give effect to the Agreement to which he refers. The draft Order in its reference only to the Governor General of India and the Governor of Burma is in full accord with the provisions of the Government of India Act, 1935. I presume that the Honourable Member wishes, in effect, to know whether the Governor of Burma will exercise his functions under paragraph 17 of the Order on the advice of his Ministers or in his individual judgment, or in his discretion. The answer is that in so far as other particular special responsibilities may not be concerned, the Governor will act on Ministerial advice.

The Order takes no power to renew its provisions.

REPRESENTATION OF INDIA AT THE INAUGURAL SESSION OF THE INTERNATIONAL
PARLIAMENTARY COMMERCIAL CONFERENCE.

560. ***Seth Govind Das:** (a) Will Government be pleased to state whether India was represented at the inaugural session of the International Parliamentary Commercial Conference, held in the Royal Gallery of the House of Lords on the 1st of October, 1935?

(b) By whom was India represented?

(c) What were the representatives' proposals on behalf of India before the said conference?

(d) Will Government lay on the table a copy of the representatives' representations and the results of such representations?

(e) Did Government provide the representatives of this country with the agenda to put the case of this country before the conference? If so, what was the agenda?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (e). Government have no knowledge of such a conference, and the other parts of the question do not, therefore, arise.

"SPECIAL DUTY" TO BE RENDERED BY SIR JAMES PITKEATHLY, CHIEF
CONTROLLER OF STORES.

561. ***Seth Govind Das:** (a) Will Government be pleased to state whether Sir James Pitkeathly, Chief Controller of Stores, is going to render some "special duty" service to the Bengal Government preparatory to his proceeding Home on leave?

(b) What is the nature of the "special duties" he may likely be entrusted with?

(c) Is he likely to inspect the working systems of the India Stores Department, London?

(d) Is he likely to suggest the amalgamation of the two Stores Departments, London and India?

(e) Is he likely to place orders with any foreign concerns for stores abroad?

(f) What are the special reasons or schemes for which he is going to supervise the workings of the London Branch of the India Stores Department?

The Honourable Sir Frank Noyce: (a) and (b). Sir James Pitkeathly has been permitted to serve, while on leave, as a Member of the Committee appointed by the Government of Bengal to advise on the charges at present levied by the Calcutta Electric Supply Corporation, Limited.

(c), (d) and (f). Later, while in England, he will make a detailed examination of the working of the London Store Department and submit recommendations so that the Government of India may determine whether the amalgamation of the London and Indian Stores Departments is practicable, and, if so, when it should take effect.

Seth Govind Das: Will Government be pleased to state whether this gentleman has been empowered to negotiate and place even orders with whatever firms he likes?

The Honourable Sir Frank Noyce: I have said, Sir, No. The answer to part (e) of the Honourable Member's question is "No". Sir James Pitkeathly has been appointed to examine the practicability of amalgamating the two departments. If he were to place orders with foreign firms when in London, he would be interfering with the internal administration of the London Store Department.

Mr. N. M. Joshi: May I know, Sir, whether the amalgamation of these two departments will not lead to the weakening of the position and prestige of the High Commissioner in London?

The Honourable Sir Frank Noyce: I should imagine not, Sir.

MEMORANDUM *re* GROWTH AND MAINTENANCE OF IMPERIAL SHIPPING.

562. ***Seth Govind Das:** (a) Will Government be pleased to state whether they issued a memo. to all Municipal Councils and Local Bodies, asking all public and semi-public organisations to give fullest support to the Empire Shipping concerns for the growth and maintenance of the Imperial Shipping?

(b) Did the Imperial Shipping administration approach Government to enlist this support from the public bodies in India?

(c) Why did Government seek such direct aid for the Imperial concern and were they aware of the Indian Shipping clamouring for Coastal Traffic Reserve during the last decade?

(d) What were the reasons of Government for taking this step?

(e) Will Government lay on the table a copy of such correspondence as they may have had with the Imperial Shipping concerns in the matter?

(f) Did Government receive response in the form of replies from the public bodies, addressed to on the memo.?

(g) How many public bodies on the coastal districts replied in favour?

(h) How many replied against?

(i) How many, in all, public bodies were addressed to lend their support to the Imperial Shipping concern?

(j) How many in all in the whole country replied in response after consideration?

(k) How many did so in favour, and how many against?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (d). The attention of the Honourable Member is invited to the replies given to starred questions No. 369 asked by Paudit Sri Krishna Dutta Paliwal on the 13th September, 1935, and No. 24 asked by Mr. S. Satyamurti on the 4th February, 1936, and the supplementary questions asked therewith on the subject.

(e) Government have had no correspondence in the matter with any shipping concern.

(f) to (k). The Government of India merely asked Local Governments to address public bodies suggesting increased utilisation of Empire ship-ping. The action taken did not call for any reply and none has been received.

IMPORT OF WHEAT FROM INDIA INTO THE UNITED KINGDOM.

562. ***Seth Govind Das:** (a) Will Government be pleased to state what preference has been given on the wheat imports into the United Kingdom from India?

(b) What has been the quantity of wheat imported into the United Kingdom from India during the last five years (separately) in comparison to that of the years 1930, 1929 and 1928?

(c) Will Government please state the value in rupees of such imports of wheat from India into the United Kingdom during those years?

(d) Are Government aware that there is no likelihood of India's exporting any appreciable quantity of wheat to the United Kingdom, during the next few years, unless there be the failure of world wheat crops?

(e) How then did Government think it beneficial to India's interests by this present preference on wheat export from India to the United Kingdom?

(f) Do Government consider this preference adequate? If not, are Government prepared to accord better preference, or bargain to secure better preference, for India for the export trade of this commodity? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Indian wheat receives a preference of two shillings per quarter in the United Kingdom.

(b) and (c). I lay on the table a statement giving the necessary information.

(d) and (e). The Honourable Member's attention is invited to pages 3 and 8, respectively, of the Reports for the fiscal years, 1933-34 and 1934-35, on the working of the scheme of preferences resulting from the Trade Agreement concluded at Ottawa between the Government of India and His Majesty's Government in the United Kingdom.

(f) Whether the preference is adequate or not is a matter of opinion but it is clear that the preference is of substantial value whenever Indian wheat prices are in parity with those of the other wheat exporting countries of the Empire.

Statement showing the quantity and value of Wheat imported into the United Kingdom from India.

| Year. | | | | | | Quantity. | Value. |
|-------|---|---|---|---|---|-----------|------------|
| | | | | | | Cwts. | Rs. |
| 1935 | . | . | . | . | . | 159,532 | 755,267 |
| 1934 | . | . | . | . | . | 166,368 | 798,320 |
| 1933 | . | . | . | . | . | .. | .. |
| 1932 | . | . | . | . | . | .. | .. |
| 1931 | . | . | . | . | . | 181,665 | 1,777,360 |
| 1930 | . | . | . | . | . | 3,341,551 | 18,551,413 |
| 1929 | . | . | . | . | . | 141,169 | 1,041,787 |
| 1928 | . | . | . | . | . | 1,546,232 | 12,542,000 |

Prof. N. G. Ranga: Is it not a fact, Sir, that Australian wheat is still being imported into this country?

The Honourable Sir Muhammad Zafrullah Khan: I do not think so, but I am not quite sure. If, however, the Honourable Member will put down a question, I will look into the matter; but almost certainly Australian wheat is not being imported into this country.

LEVELLING OF THE RAILWAY AND WATERWAY FREIGHTS.

564. ***Seth Govind Das:** (a) Will Government be pleased to state whether they are aware that the freights on railways are much higher comparatively than the waterway freights in India?

(b) Are Government aware that the high railway freight rates greatly hamper the easy transportation of commercial commodities and trade facilities?

(c) Have Government ever considered the advisability and feasibility of levelling the railway and waterway freights in this country?

(d) Are Government prepared to take immediate and effective steps to level up the waterway and railway freight rates to better trade conditions in India? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) No. Railway Administrations are ready and anxious to examine carefully each case brought to their notice alleging that freight rates are affecting the free movement of traffic. The large number of special rates quoted by Railways on a basis which, in many cases, is substantially lower than the basis generally applicable indicate the responsiveness of Railway Administrations to representations made to them.

(c) and (d) No. Government have no control over charges for carriage by waterways.

Mr. S. Satyamurti: Will Government consider taking power in order to regulate water and railway freight rates, so that the maximum benefit may be got for the country?

The Honourable Sir Muhammad Zafrullah Khan: I believe I have answered that question earlier in the Session.

EXPENDITURE ON CINEMA FILMS, LOUD SPEAKERS AND BROADCASTING AS ITEMS OF RURAL DEVELOPMENT.

565. ***Seth Govind Das:** (a) Will Government be pleased to state whether cinema films and loud speakers and also broadcasting are items of rural development?

(b) Are Government aware that large sums have been allotted for cinema films and loud speakers, as also for broadcasting?

(c) How is a wireless transmission installation being regarded as an item of rural development?

(d) Were the Provincial Legislative Councils consulted for the lines of expenditure of this grant for rural development?

(e) Will Government please state whether they received suggestions from the Provincial Governments stating their own beneficiary schemes of which many items were rejected?

(f) Will Government please state their reasons for doing so?

The Honourable Sir James Grigg: (a) Yes.

(b) About Rs. 2½ lakhs only have been allotted for this purpose out of a total of Rs. 92½ lakhs.

(c) It is one of the most effective means of imparting to the inhabitants of villages knowledge on such matters as hygiene, sanitation, etc.

(d) This is a matter for the Provincial Governments.

(e) and (f). The procedure adopted has been fully explained on page 3 of the statement circulated to Honourable Members in September last.

INCREASE IN THE PRICES OF GRAINS AND PULSES.

566. ***Seth Govind Das:** (a) Will Government be pleased to state whether the working of the Ottawa Pact has resulted in improving the market in the direction of increase in prices of grains and pulses?

(b) Have Government considered whether preferential duty on imports could be the cause of the result in the increase of prices?

(c) To what extent have the prices of grains and pulses increased this year, as compared with that of the last year?

(d) What is the value of grains and pulses that were exported from India last year?

(e) What has been the total gain to India on her export trade, year by year, after the Ottawa Agreement was brought into force, in comparison to that of the years before the working of the Agreement?

(f) Will Government state the names of the countries that have benefited most for their trade with India after the Ottawa Pact?

(g) To what extent have such countries been benefited?

(h) What are the retributory benefits received by India from those countries by her trade?

(i) To what percentage has India increased her trade with those countries in comparison with pre-war days?

(j) Is there a Trade Commissioner in those countries representing India to protect Indian trade interests?

(k) What has he contributed to improve the situation?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The Honourable Member can form his own opinion from the material which has been supplied to him.

(c) The index numbers of average prices of cereals and pulses in the different centres of British India show increases ranging between 6 and 11 per cent. and 1 and 11 per cent., respectively, in the year 1935 as compared with 1934.

(d) to (i). The Honourable Member is referred to the monthly and annual volumes of the Sea-borne Trade Accounts of British India, copies of which are in the Library of the Legislature.

(j) There are Indian Trade Commissioners only in three countries, namely, the United Kingdom, Germany and Italy.

(k) The attention of the Honourable Member is invited to the quarterly and annual reports of the Indian Trade Commissioners, copies of which are in the Library.

Prof. N. G. Ranga: Is there any likelihood of appointing any more Trade Commissioners during the next year?

The Honourable Sir Muhammad Zafrullah Khan: I have answered several questions on that subject in this Session already before the Honourable Member began to attend the sittings of the House.

SUBSTITUTION OF THE ELECTION SYSTEM BY NOMINATIONS TO THE MALAYA COUNCIL.

567. ***Seth Govind Das:** (a) Will Government be pleased to state whether they are aware that the election system to the Malaya Council is contemplated to be substituted by the system of nomination?

(b) Did Government receive any representation from the Indians in Malaya, protesting against the contemplated system?

(c) Had Government any despatches from the Agent to the Government in Malaya on this subject?

(d) What action, if any, did Government take to protect the interests of Indians in Malaya?

(e) Did Government approach the Secretary to His Majesty's Government for Colonial Affairs on the subject?

(f) What were the views of the Colonial Secretary in the matter?

(g) Will Government be pleased to lay on the table a copy of the entire correspondence in this matter between the Government and the Colonial Secretary of State for Colonies on the one hand and the Indians in Malaya and the Malaya Government and other authorities there on the other? If not, will Government please state their reasons?

(h) What is the total Indian population in Malaya?

(i) How many seats are allotted in the Malaya Council for immigrant Indians:

(i) nominated,

(ii) elected?

(j) What are the views of Government in the matter of substitution of the election system by nominations?

Sir Girja Shankar Bajpai: (a) to (c). The reply is in the negative.

(d) to (g) and (j). Do not arise.

(h) The total Indian population at the end of 1934 was estimated at 595,647.

(i) Out of 12 nominated non-official members in the Federal Council of the Federated Malay States, one is an Indian. There are no elected members.

PREVENTION OF RATE-WARS BETWEEN SHIPPING COMPANIES IN INDIA.

568. ***Seth Govind Das:** (a) Will Government be pleased to state whether they are aware that there exists a rate-war between the British India Steam Navigation Company and the Indian shipping concerns trading between the coastal districts of India and Burma?

(b) Did Government take any action to prevent such rate-wars, that take place often? If so, what have those actions been? If not, will Government explain their reasons for the non-intervention?

(c) Has Government's attention been drawn to the assurance given by Sir Joseph Bhore in the Assembly, during his tenure of office, to the effect that steps would be taken to prevent such unfair tactics by the mercantile concerns?

(d) Was any action really taken sufficient enough to prevent further unfair rate-war? If so, what was that action? If not, will Government state their reasons for not taking adequate steps to that effect?

(e) Are Government prepared to take measures now to ensure effective prevention of the rate-wars between the shipping concerns? If not, what are their reasons?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b), (d) and (e). Government are not prepared to admit that every reduction of fare or freight below current rates is evidence of the existence of a rate-war calling for Government intervention, nor is it possible to say without reference to the facts of a particular case what action, if any, Government would be prepared to take.

(c) Government's attention has naturally been drawn to all assurances made by Sir Joseph Bhore in the Assembly during his tenure of the office of Member of the Executive Council, but I am not aware to what particular assurance the Honourable Member refers.

Prof. N. G. Ranga: May I know, Sir, what action has been taken to improve the condition of deck passengers?

The Honourable Sir Muhammad Zafrullah Khan: Does that arise out of this question?

Mr. S. Satyamurti: What are the considerations which Government consider must arise before they come to the conclusion that there is a rate-war between the various shipping companies?

The Honourable Sir Muhammad Zafrullah Khan: That is a hypothetical question. I cannot state the considerations which must arise, but I am prepared to examine any considerations that do arise and see whether any case for interference has been made out.

Mr. S. Satyamurti: What are the considerations, then, Sir, which enable the Government to come to the conclusion that, so far as the competition between the British India Steam Navigation Company and the Indian Shipping concerns between India and Burma is concerned, it is not a rate-war, but a mere legitimate competition?

The Honourable Sir Muhammad Zafrullah Khan: I have answered several questions on that subject earlier in the Session as the Honourable Member well knows, as he put several of them himself.

Mr. S. Satyamurti: I got no satisfactory answers.

The Honourable Sir Muhammad Zafrullah Khan: I can give replies, but cannot guarantee satisfaction.

NON-INDIAN PRISONERS IN INDIAN JAILS.

569. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the number of non-Indian State Prisoners who are not in jails, but interned outside;
- (b) the allowance given for their subsistence per month in each case;
- (c) the total cost to the country of such State Prisoners; and
- (d) what the position of the non-Indian State Prisoners will be under the Reforms?

Sir Aubrey Metcalfe: (a) to (c). The requisite information is shown in the statement, a copy of which is placed on the table.

(d) If the Honourable Member is referring to the incidence of cost on these non-Indian State Prisoners, it will be borne by the Federal Government in the Department of External Affairs.

Statement showing the names of non-Indian State Prisoners who are not in Jails, but interned outside and their allowances.

| Province or Presidency. | Serial No. | Name. | Allowance (Monthly.) | Remarks. |
|-------------------------|------------|----------------------|----------------------|---|
| | | | Rs. a. p. | |
| Madras Presidency | 1 | S. Abdur Rahman Khan | 600 0 0 | |
| | 2 | S. Ghaus-uddin Khan | 500 0 0 | |
| | 3 | S. Abdur Hakim Khan | 150 0 0 | |
| | 4 | S. Amin Jan | 250 0 0 | |
| Bombay Presidency | 5 | Khan Baba | 60 0 0 | Rs. 1,500. Rs. 30 per mensem allowance and Rs. 1 daily diet allowance. |
| | 6 | Abdul Qadus | 73 4 0 | Rs. 32 per mensem allowance and Rs. 1-6-0 daily diet allowance. |
| | 7 | Mohd. Ibrahim | 73 4 0 | Do. |
| | 8 | Mohd. Hassan | 73 4 0 | Do. |
| | 9 | Ali Ahmad | 73 4 0 | Do. |
| | 10 | Mohd. Ismail | 60 0 0 | |
| | 11 | Taj Mohd. | 60 0 0 | |
| | | | | Rs. 473. |

| Province or Presidency. | Serial No. | Name. | Allowance (Monthly). | Remarks. |
|-------------------------------|---------------|--|-------------------------|---|
| | | | Rs. a. p. | |
| Central Provinces . | 12 | S. Abdullah Khan . | 600 0 0 | Rs. 45 per mensem allowance and Rs. 1-6-0 as diet allowance. |
| | 13 | S. Abdul Hamied Khan . | 500 0 0 | |
| | 14 | S. Abdul Quaum Khan . | 450 0 0 | |
| | 15 | Khwaja Abdul Karim . | 86 4 0 | |
| | 16 | Mohd. Nasir . | 86 4 0 | |
| | 17 | Abdur-Rahman Jan . | 86 4 0 | Do. |
| | 18 | Ata Mohammad . | 60 0 0 | Do. |
| | | | | Do. |
| | | | | |
| Bihar and Orissa . | 19 | Sardar Abdul Khaliq . | 100 0 0 | Rs. 160. |
| | 20 | Sardar Ghulam Jilani . | 60 0 0 | |
| Bengal . . . | 21 | S. Abdul Aziz Khan . | 250 0 0 | |
| United Provinces . | 22 | S. Mohd. Azam Khan . | 300 0 0 | S/o S. M. Akram Khan. |
| | 23 | S. Mohd. Akram Khan . | 400 0 0 | |
| | 24 | S. Mohd. Afzal Khan . | .. | |
| | 25 | S. Sultan Ahmad Khan . | 300 0 0 | |
| | 26 | S. Sher Ahmad Khan . | 250 0 0 | S/o S. M. Hassan Khan. |
| | 27 | S. Mohd. Sarwar Khan . | 250 0 0 | |
| | 28 | S. Mohd. Umar Khan . | 250 0 0 | |
| | 29 | S. Nur Ahmad Khan . | 250 0 0 | |
| | 30 | S. Abdur Rashid Khan . | 150 0 0 | |
| | 31 | S. Mohd. Hassan Khan . | 200 0 0 | |
| | 32 | S. Abdus Samad Khan . | .. | |
| | 33 | S. Abdur Rahman Khan . | 250 0 0 | |
| | 34 | S. Mohd. Umar Khan . | 100 0 0 | |
| | 35 | S. Gul Mohd. Khan . | 100 0 0 | |
| | 36 | S. Abdul Ali Khan . | 350 0 0 | |
| | 37 | S. Abdur Rahim Khan . | 250 0 0 | |
| | 38 | S. Abdur Rauf Khan . | .. | |
| | 39 | S. Mohd. Azim Khan . | 100 0 0 | S/o above. |
| | 40 | S. Mohd. Mohsin Khan . | 100 0 0 | |
| | | | | Rs. 30 per mensem allowance and annas 10 daily allowance. |
| | 41 | Ghulam Nabi . . . | 48 12 0 | |
| | 42 | Mohd. Din . . . | 48 12 0 | |
| | 43 | Mohd. Siddiq . . . | 48 12 0 | |
| | 44 | Adul Hakim . . . | 68 12 0 | Rs. 50 per mensem allowance and annas 10 daily allowance. |
| | | | | |
| | 45 | Abdul Majid . . . | 68 12 0 | Do. |
| | 46 | Mohd. Jan . . . | 60 0 0 | |
| Ajmer-Merwara . | 47 | Syed Muhammed alias Bang & Co., Com- panions . . . | 400 0 0 | Rs. 3,943-12-0. |
| | | | 8,595 8 0 | |

| | |
|------------------------|--------------|
| | Rs. |
| Monthly cost | 8,595 8 0 |
| Yearly cost | 1,03,146 0 0 |

Seth Govind Das: Are these State Prisoners being kept in this country at the request of the various countries to which they belong?

Sir Aubrey Metcalfe: I cannot answer that question, Sir, without trenching on matters of foreign policy which, on this occasion, in the case of questions, I think, you would probably rule out of order. I will give any information I can.

Prof. N. G. Ranga: Why are they being kept here?

Seth Govind Das: May I ask for your ruling on this question, Sir? When money is being spent from the Indian revenues on these State Prisoners, is this House not entitled to ask whether these prisoners are kept by the Government of India themselves or at the request of the countries to which they belong?

Mr. President (The Honourable Sir Abdur Rahim): It is very difficult for the Chair to give a definite ruling, because it depends upon the circumstances of each particular case. If, in a particular case, the Government are positive that they cannot answer the question without affecting foreign relations, then the Chair is helpless. It has to be left more or less to the Government to say in such cases whether the answer will affect foreign relations or not.

Seth Govind Das: May I ask the Honourable Member how much money is being spent from the Indian revenues on these State Prisoners?

Sir Aubrey Metcalfe: The present charges amount to about one lakh of rupees a year, but they are fluctuating. We are always doing our best to reduce them.

Seth Govind Das: Is there any contribution to this expense from the various countries to which these prisoners belong?

Sir Aubrey Metcalfe: No.

Seth Govind Das: Do not Government think it advisable that, when these prisoners are kept at the request of various other countries, the expense on keeping them should be met by those countries?

Sir Aubrey Metcalfe: The Honourable Member appears to be asking for an expression of opinion.

Mr. S. Satyamurti: Have Government considered, or will they consider, the question of addressing these Governments on the question of their contributing towards the maintenance of these prisoners?

Sir Aubrey Metcalfe: No, not exactly in that form. What we are doing and have been doing all the time is, trying to reduce the expenditure as far as possible by arrangement with the foreign Government concerned. And I can say this, that in no case are we keeping non-Indian prisoners here against the wishes of the Governments concerned, and, in fact, in all cases, it is in accordance with the wishes of that Government.

Mr. S. Satyamurti: Are all these prisoners kept solely at the wishes of the foreign powers concerned, and are no interests of India involved in keeping them?

Sir Aubrey Metcalfe: The interests of India are certainly involved in complying, so far as we can, with the wishes of those Governments.

Mr. S. Satyamurti: Are there any treaty obligations between these States and the Government of India, casting upon us the duty of keeping these prisoners, whenever those Governments want us to keep them?

Sir Aubrey Metcalfe: I would not go so far as to say that they were exactly treaty obligations, but they were certainly obligations of practice which are observed in reciprocity.

Seth Govind Das: The Honourable Member has just said that the interests of the Indian Government are involved in keeping these prisoners in India. May I ask whether the interests of those countries from where these prisoners come are also not involved in keeping them in India?

Sir Aubrey Metcalfe: Certainly. I have not implied that it was only in the interests of India.

Seth Govind Das: In that case, is it not advisable that the Government of India should correspond with those countries and ask them to give something for the maintenance of these prisoners in India?

Sir Aubrey Metcalfe: There, again, the Honourable Member is asking for an expression of opinion.

Mr. S. Satyamurti: What is this reciprocity? Are there any prisoners of India being kept by these States at the request of the Government of India?

Sir Aubrey Metcalfe: Yes.

Mr. S. Satyamurti: How many?

Sir Aubrey Metcalfe: I am not prepared to give any exact figure, but there certainly is reciprocity in the matter.

Mr. President (The Honourable Sir Abdur Rahim): Next Question.

TRAIN EXAMINERS ON THE GREAT INDIAN PENINSULA RAILWAY.

570. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the allotted number of the Train Examiners fixed for each division of the Great Indian Peninsula Railway after the Pope Committee's Report;
- (b) the number of vacancies of Train Examiners which occurred in those Divisions since the year 1926;
- (c) the number of vacancies which were filled up by qualified Assistant Train Examiners waiting for prospects for the last ten years;
- (d) the maximum period required for a qualified candidate, who has been an Assistant Train Examiner, to be promoted to the post of "Train Examiner";

- (e) whether they are aware that the Great Indian Peninsula Railway administration have appointed outsiders as Train Examiners on a starting salary of Rs. 100 and 150, instead of providing the qualified Assistant Train Examiners on Rs. 65 who are available in any number in the many divisions of the Railway;
- (f) whether it is a fact that the Great Indian Peninsula Railway administration have a practice of paying the junior subordinates (fitters) at a scale of Rs. 60 more than their "In-charge" (Assistant Train Examiners) under whom they work;
- (g) whether the Great Indian Peninsula Railway administration are bound by agreement to provide adequate future prospects for the qualified (Passed) apprentices after their completion of the training course;
- (h) the maximum pay of the non-qualified Assistant Train Examiners, working on Bombay Island, and the maximum pay allowed to such employees when they are transferred to other stations;
- (i) the reasons for the variation in the salary in one station from another; and
- (j) the reasons for appointing outsiders as Train Examiners directly on higher salaries, instead of providing qualified and tried hands?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed that the numbers are as follows:

| | | | | |
|---------------------|-----|-----|-----|----|
| (a) Bombay division | ... | ... | ... | 85 |
| Sholapur division | ... | ... | ... | 25 |
| Bhusawal division | ... | ... | ... | 64 |
| Jubbulpore division | ... | ... | ... | 15 |
| Jhansi division | ... | ... | ... | 37 |

- (b) Twenty-nine vacancies occurred since 1926.
- (c) Seventeen were filled by qualified Assistant Train Examiners.
- (d) There is no maximum period.
- (e) Only one outsider was recruited during the strike.
- (f) No.
- (g) Yes, if a vacancy exists.
- (h) Presuming that by non-qualified Assistant Train Examiners is meant those who have not passed the examination for Train Examiners, the maximum pay for the Island of Bombay is Rs. 55 per mensem. Rs. 55 per mensem is allowed to qualified Assistant Train Examiners elsewhere.
- (i) The train examining staff employed in the Island of Bombay were given higher scales of pay chiefly due to the difference in the cost of living between the Island of Bombay and the Mofussil.

At present these scales of pay are under revision and it is proposed to abolish the distinction which at present exists.

- (j) With the exception of one outsider who was recruited as Train Examiner during the strike no other outsiders have been recruited.

Seth Govind Das: How many of them are Indians?

The Honourable Sir Muhammad Zafrullah Khan: I could not say without notice.

Seth Govind Das: Is there any difference in pay of Indians on the one hand and Anglo-Indians and Europeans on the other?

The Honourable Sir Muhammad Zafrullah Khan: That I could not answer either without notice.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member tell this House whether he is aware of the fact that other Railways, besides the G. I. P. Railway, have resorted to the practice of advertising for outside recruitment and employing them in the department to the disadvantage of those who are awaiting promotion in the same cadre?

The Honourable Sir Muhammad Zafrullah Khan: Will the Honourable Member specify which particular Railways do it?

Lieut.-Colonel Sir Henry Gidney: The North Western Railway has recently advertised for Assistant Foremen and Foremen to replace men who are waiting for promotion and whose claims have been ruthlessly cast aside.

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will put down a question, I would be glad to furnish the information.

LEVY OF EXCISE DUTY ON PALMYRA SUGAR.

571. ***Seth Haji Abdoola Haroon:** (a) Are Government aware that excise duty on palmyra sugar is not levied?

(b) If the answer to part (a) above be in the affirmative, will Government state the reasons why it is not done?

Mr. A. H. Lloyd: I would refer the Honourable Member to the reply which I gave to question No. 1 asked by Pandit Krishna Kant Malaviya on the 4th of February.

Prof. N. G. Ranga: Are Government aware of the fact that the manufacture of palmyra sugar is a cottage industry, and that numbers of poor and depressed workers are engaged in it, and, if an excise duty is levied, they will all be hit very badly.

Mr. A. H. Lloyd: I think that is a question which answers itself.

Mr. M. Ananthasayanam Ayyangar: Is it not also a fact that the palmyra sugar industry is in a very infant stage?

Mr. A. H. Lloyd: That I cannot say. I do not know how long it has been in existence, but I should have thought that it has been for a long time, even though it is a small scale industry.

Pandit Nilakantha Das: Is there any mill industry in palmyra sugar, or is it the only cottage industry?

Mr. A. H. Lloyd: I am afraid I did not hear what the Honourable Member asked.

Seth Haji Abdoola Haroon: Are there not palmyra sugar factories in existence in Madras which employ more than 20 labourers?

Mr. A. H. Lloyd: I cannot speak with absolute conviction, but it seems to me perfectly clear that the question of levying an excise duty on palmyra sugar would never have been raised if there has not been factories in existence so as to bring the industry within the scope of the sugar excise duty which is only applied to sugar made in factories.

Seth Govind Das: Is it a regular industry or is it a cottage industry?

Mr. A. H. Lloyd: The words "cottage industry" have no clear definition. If the working of factories, such as Seth Haji Abdoola Haroon referred to, is not a cottage industry, then making palmyra sugar is not exclusively a cottage industry.

Seth Haji Abdoola Haroon: According to the Act, the Government of India have to enquire into this matter as to how many factories there are and whether an excise duty is leviable or not. I want to know whether these factories exist in Madras or not.

Mr. A. H. Lloyd: I can say quite safely that factories do exist in Madras. As I stated in reply to Mr. Malaviya's question to which I have already referred, the conclusion arrived at, as a result of the enquiry that was made last year, was that the imposition of an excise duty on palmyra sugar would probably result in the extinction of the industry which would throw a large number of workers out of employment. It is obvious that, if that is the condition, there must be an industry.

Prof. N. G. Ranga: Industry there is, but no factory.

LEVY OF EXCISE DUTY ON PALMYRA SUGAR.

572. ***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state whether it is a fact that when Excise Duty Bill was passed in 1934, they had promised to enquire into palmyra sugar industry and to enforce levy of excise duty on palmyra sugar as soon as possible?

(b) If so, what enquiry have Government made up to this time?

(c) Are Government willing to circulate their report on the said enquiry among members of this House and also to publish it in the Government Gazette and newspapers?

Mr. A. H. Lloyd: (a) The Government of India accepted the recommendation of the Select Committee on the Sugar (Excise Duty) Bill that palmyra sugar should be excluded from the general rate of duty and that an enquiry should be made before a rate of duty was fixed. They did not undertake to levy excise duty on palmyra sugar as soon as possible.

(b) I would invite the attention of the Honourable Member to the reply which I gave to question No. 1 asked by Pandit Krishna Kant Malaviya on the 4th of February, 1936.

(c) The Government of India have not compiled a report on the subject and the question of publication, therefore, does not arise.

SUGAR PRODUCED FROM PALMYRA GUR.

573. ***Seth Haji Abdoola Haroon:** Will Government be pleased to state the quantities of sugar produced from palmyra gur during 1932, 1933, 1934 and 1935?

Sir Girja Shankar Bajpai: The average annual production in the Madras Presidency during recent years is understood to be between two and three hundred thousand maunds.

Mr. M. Ananthasayanam Ayyangar: Is it the total for all the years?

Sir Girja Shankar Bajpai: Per annum.

BUDDHISTIC RELICS, STUPAS AND ARCHITECTURAL TREASURES DISCOVERED AT NAGARJUNAKONDA IN THE GUNTUR DISTRICT.

574. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact (i) that very important and interesting Buddhistic relics, stupas and architectural treasures were discovered at Nagarjunakonda in Guntur District, (ii) that these finds have not yet been properly catalogued, (iii) that they are not properly protected from the vicissitudes of weather, (iv) and that no attempt has so far been made either to catalogue them and publish their descriptive and historical account in English or in Andhra or to house them?

(b) If the reply to part (a) be in the affirmative, are Government prepared to consider the advisability of properly housing them and protecting them in every other way and of publishing at a cheap price a historical, descriptive catalogue in order to enable the public to properly appreciate their place in Indian history?

Sir Girja Shankar Bajpai: (a) (i) Yes.

(ii) and (iv). Preliminary reports about the finds have appeared from year to year in the departmental Annual Reports and the inscriptions have been published by Dr. J. Ph. Vogel in the *Epigraphia Indica*. A complete monograph on the excavations is now under preparation by Mr. Longhurst, the excavator in collaboration with Dr. Vogel.

(iii) Steps are being taken to construct a Museum at Nagarjunikonda to house the sculptures.

(b) The question of publishing a cheap guide will be taken up when the monograph already mentioned has been published.

UNSTARRED QUESTIONS AND ANSWERS.

IRON AND STEEL ARTICLES EXPORTED FROM CERTAIN COUNTRIES.

112. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing the total tonnage of iron and steel articles exported from Great Britain and Ireland, Germany, America and Japan mainly in the shape of beams, rails, bolts and nuts, and corrugated sheets and plain sheets?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for by the Honourable Member is given below as far as it is available.

Statement showing the quantity of Beams, Rails, etc., exported from the United Kingdom, Germany, United States of America and Japan.
[In tons (900).]

| Articles. | United Kingdom. | | | | | Germany. | | | | | United States of America. | | | | | Japan. | | | | |
|------------------------|-----------------|------|------|------|------------|-----------------|------------|------------|-------|------|---------------------------|------|------|------|------|--------|------|------|------|---------------|
| | 1930 | 1931 | 1932 | 1933 | 1934 | 1930 | 1931 | 1932 | 1933 | 1934 | 1930 | 1931 | 1932 | 1933 | 1934 | 1930 | 1931 | 1932 | 1933 | 1934 |
| Beams* | 54 | 25 | 16 | 14 | 26 | 419 | 172 | 132 | 176 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Rails | 243 | 108 | 47 | 60 | 120 | .. | .. | .. | .. | { | 95 | 33 | 11 | 41 | .. | .. | .. | .. | .. | 94(g) |
| (Switches & crossings) | .. | 4 | 2 | 1 | | .. | .. | .. | .. | | | .. | 3 | 1 | 1 | 1 | 1 | .. | .. | .. |
| Bolts and nuts | 26 | 14 | 11 | 12 | 16 | 595 | 372 | 132 | 136 | .. | (c) | (c) | (c) | (c) | .. | .. | .. | .. | .. | † 7 (e) |
| Corrugated sheets | 354 | 230 | 199 | 192 | 189 | { (b) 625 | (b) 875 | (b) 867 | 1,332 | .. | (d) | (d) | (d) | (d) | (d) | (f) | (f) | (f) | (f) | 50 32 |
| Plain sheets | 398 | 250 | 336 | 302 | (a) 373 | | | | | | | | | | | | | | | |

(a) Includes terne plates but excludes iron plates and sheets.

(b) Galvanised plates and sheets only.

(c) Bolts, machine screws, nuts, rivets, washers and nut locks.

(d) Black and Galvanised sheets.

(e) Rivets, bolts, nuts including washers.

(f) Plates and Sheets.

(g) Rails including fishplate.

* Includes girders, joists, and pillars.

† Separately recorded from 1934.

TELEGRAPH AND CAMP POST OFFICES OPENED EVERY YEAR.

113. **Sardar Sant Singh:** Will Government be pleased to lay on the table a list of the different telegraph and postal camp offices opened every year during the last five years and state if such camp offices are paying?

The Honourable Sir Frank Noyce: Government regret that they are unable to furnish the information as its collection would involve an undue expenditure of time and labour. Camp offices are opened for short periods and for special reasons independently of financial considerations.

POST OFFICES NOT PAYING THE COST OF THEIR UPKEEP.

114. **Sardar Sant Singh:** Will Government place on the table a list of Post Offices which do not pay the costs of their upkeep and state why they are not abolished, keeping in view the principle of commercialisation?

The Honourable Sir Frank Noyce: The information required by the Honourable Member is not readily available and Government do not propose to call for it as its collection would involve an expenditure of time and labour incommensurate with its value. I may, however, inform the Honourable Member that Heads of Circles are required to make periodical reviews of the revenue and expenditure of individual post offices with a view to reduce, where possible, the cost of upkeep where it exceeds the revenue earned and, if this is not possible, to close down unremunerative offices if the loss exceeds a certain annual limit and there is no likelihood of the revenue increasing in the near future sufficiently to cover the cost of upkeep. Certain offices, working at a loss are, however, kept open in the public interest.

COMMITTEES FORMED IN RESPECT OF THE POSTS AND TELEGRAPHS DEPARTMENT.

115. **Sardar Sant Singh:** (a) Will Government be pleased to place on the table a list of the different committees formed by the Department in respect of the Postal as well as Telegraph Branches, combinedly or separately, showing the year as well as the personnel of each?

(b) Will Government be pleased to state:

(i) which of these Committee Reports are available for sale in the Government Sale Depots;

(ii) which of these are still followed for regulation of (1) duty hours, (2) night duty, and (3) maximum limit of compulsory overtime? If none of these is followed, will Government be pleased to quote the departmental rules for regulation of duty hours, night duty, and maximum limit of compulsory overtime?

The Honourable Sir Frank Noyce: (a) and (b). There has been a very large number of departmental committees in the Posts and Telegraphs

Department since it was constituted and to give for all of them the particulars which the Honourable Member requires would involve an expenditure of time and labour incommensurate with the value of the result. If, however, the Honourable Member will let me know more exactly the period for which he requires this information I will try to get it for him.

PROMOTION OF JOURNEYMEN ON THE EASTERN BENGAL RAILWAY.

116. **Pandit Lakshmi Kanta Maitra:** Will Government be pleased to place on the table the following particulars:

- (a) the grades in the old scale of pay for the journeymen on the Eastern Bengal Railway; and
- (b) how many European and Anglo-Indian journeymen employed under the Works Manager, Loco, Kanchrapara and Saidpur or transferred to other Districts within the last five years, have been promoted to the grade of Rs. 160—15—250 from Rs. 150 and what is the corresponding number of Indian journeymen similarly promoted?

The Honourable Sir Muhammad Zafrullah Khan: (a) The grades of journeymen in the old scales of pay are as follows:

- (i) Rs. 80—5—95;
- (ii) Rs. 100—10—150;
- (iii) Rs. 200;
- (iv) Rs. 160—15—250.

(b) No European, Anglo-Indian or Indian journeymen has been promoted from Rs. 150 to the Rs. 160—15—250 grade, but one Indian journeyman has been promoted to Rs. 200 grade.

CHARGEMEN AND JOURNEYMEN IN CERTAIN WORKSHOPS ON THE EASTERN BENGAL RAILWAY.

117. **Pandit Lakshmi Kanta Maitra:** Will Government be pleased to place on the table a statement showing the following particulars:

- (a) the names of chargemen and the names of journeymen in each of the different shops within the main Workshops under the Works Manager, Loco., Kanchrapara and the Works Manager, Saidpur, year by year from 1930 to the end of 1935;
- (b) the respective starting pays on being appointed as a regular employee;
- (c) the respective dates of such appointment; and
- (d) the respective present pays?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available and Government consider that its collection will involve an amount of labour and expense not likely to be justified by results.

CADETS ADMITTED TO THE "DUFFERIN".

118. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to state the number of executive and engineer cadets admitted to the Indian Mercantile Marine Training Ship "Dufferin", since its establishment, year by year, with the names of the communities and provinces to which they belong?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table two statements giving the information desired by the Honourable Member.

Statement of Executive and Engineer Cadets admitted to the Indian Mercantile Marine Training Ship "Dufferin", since its establishment, year by year, by communities.

| Communities. | 1927 | 1929 | 1930 | 1931 | 1932 | 1933 | 1934 | 1935. | | 1936. | | Total. |
|---------------------|------|------|------|------|------|------|------|----------------------|---------------------|----------------------|---------------------|--------|
| | | | | | | | | Exe- cu- tive. | En- gi- neer. | Exe- cu- tive. | En- gi- neer. | |
| Hindus . . . | 18 | 19 | 16* | 11 | 8 | 12 | 10 | 9 | 8 | 10 | 12 | 133 |
| Mohammadans . . | 2 | 5 | 4 | 3 | 2 | 5 | 3 | 4 | 2 | 4 | 4 | 38 |
| Anglo-Indians . . | 4 | 8 | 6 | 10 | 12 | 9 | 12 | 9 | 8 | †6 | 4 | 88 |
| Indian Christians . | 4 | 2 | 4 | 3 | 4 | 2 | 2 | 2 | 4 | 2 | .. | 29 |
| Sikhs . . . | 1 | .. | .. | 4 | 2 | 4 | 1 | .. | 1 | 1 | 1 | 15 |
| Parsces . . . | 1 | 1 | 3 | 1 | 3 | 1 | 5 | 1 | 1 | 3 | 3 | 23 |
| Jews . . . | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | 1 | 2 |
| Buddhists . . . | .. | .. | 1 | 1 | 1 | .. | .. | .. | 1 | .. | .. | 4 |
| Total . . . | 30 | 35 | 34* | 33 | 33 | 33 | 33 | 25 | 25 | †26 | 25 | 332 |

N.B.—*Includes one Hindu Cadet from Bhavnagar State admitted direct without the ship's qualifying examination.

†Includes one Cadet from Ceylon, admitted direct through the Government of Ceylon without the ship's qualifying examination.

Statement showing the domicile of the Cadets who have joined the "Dufferin" since its establishment in November 1927.

| Province. | 1927 | 1929 | 1930 | 1931 | 1932 | 1933 | 1934 | 1935. | | 1936. | | Total. |
|---|------|------|------|------|------|------|------|----------------------|---------------------|-----------------|----------------|--------|
| | | | | | | | | Exe- cu- tive. | En- gi- neer. | Execu- tive. | Engi- neer. | |
| Ajmer-Merwara . . . | 1 | 1 | .. | .. | .. | 1 | .. | .. | .. | .. | .. | 3 |
| Assam | .. | .. | .. | .. | .. | .. | .. | 1 | .. | .. | .. | 1 |
| Bengal | 2 | 2 | 1 | 1 | 1 | 2 | 4 | 5 | 1 | 2 | .. | 21 |
| Bihar and Orissa . . | 1 | .. | .. | .. | 1 | 1 | .. | 2 | .. | 1 | .. | 6 |
| Bombay | 10 | 9 | 7 | 7 | 9 | 7 | 12 | 4 | 5 | 8 | 4 | 82 |
| Burma | 1 | .. | 3 | 2 | 4 | 1 | 2 | 2 | 2 | 2 | 1 | 20 |
| Central Provinces and Berar | .. | 2 | 1 | 1 | 1 | 4 | 2 | 2 | 2 | 1 | 2 | 18 |
| Delhi | .. | .. | .. | 1 | 1 | .. | .. | .. | 1 | .. | 1 | 4 |
| Madras | 1 | 2 | 4 | 7 | 6 | 3 | 5 | 5 | 7 | 2 | 6 | 48 |
| North-West Frontier Province | .. | .. | .. | .. | .. | 1 | 2 | .. | .. | .. | .. | 3 |
| Punjab | 5 | 3 | 6 | 6 | 5 | 7 | 1 | 1 | 3 | 5 | 5 | 47 |
| United Provinces of Agra and Oudh . . | 6 | 12 | 7 | 7 | 3 | 5 | 4 | 3 | 2 | .. | 4 | 53 |
| <i>(States and Agencies.)</i> | | | | | | | | | | | | |
| Baroda State . . . | .. | .. | 1 | .. | .. | .. | .. | .. | .. | .. | .. | 1 |
| Bombay States . . . | .. | .. | 2* | .. | .. | .. | .. | .. | .. | .. | .. | 2 |
| Central India Agency | 1 | 1 | .. | 1 | 1 | .. | .. | .. | .. | .. | .. | 4 |
| Hyderabad State . . | 1 | 1 | .. | .. | .. | .. | .. | .. | .. | 2 | .. | 4 |
| Travancore State . . | 1 | .. | 2 | .. | 1 | 1 | .. | .. | 2 | .. | 1 | 8 |
| Mysore State . . . | .. | 1 | .. | .. | .. | .. | 1 | .. | .. | .. | .. | 2 |
| Rajputana Agency . . | .. | 1 | .. | .. | .. | .. | .. | .. | .. | 2 | 1 | 4 |
| Ceylon | .. | .. | .. | .. | .. | .. | .. | .. | .. | 1† | .. | 1 |
| Total | 30 | 35 | 34* | 33 | 33 | 33 | 33 | 25 | 25 | 26† | 25 | 332 |

*Includes one cadet from Bhavnagar State, admitted direct without the Ship's qualifying examination.

†Represents one cadet from Ceylon, admitted direct through the Government of Ceylon, without the Ship's qualifying examination.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

119. **Mr. Amarendra Nath Chattopadhyaya:** Is it not a fact that 140 candidates applied for the executive branch of study in connection with the training on "Dufferin", and 59 were successful and invited to come to Bombay? If not, what was the exact number?

The Honourable Sir Muhammad Zafrullah Khan: I presume the Honourable Member is referring to the qualifying examination held in October, 1934. 141 candidates originally applied for the Executive Course, but owing to withdrawals and other reasons only 132 candidates actually took the examination. Of these 58 were successful.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

120. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with training on the "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks candidates from the Calcutta centre) of the executive branch in order of merit at the examination in October 1934?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement giving the desired information.

List of successful candidates of the Executive Branch in order of merit at the qualifying examination of October, 1934.

(Candidates from Calcutta Centre are marked with asterisks.)

Name.

1. Zal Cursetjee.
2. George Edgar Radford Bonner.
3. Mohd. Hashim.
4. Mangesh Ran Savur.
5. Rober Strickland Ottley.
6. Ved Prakash.
7. V. Srinivasan.
8. Arya Kumar Gupta.*
9. Pandharinath Krishnarao Deshmukh.
10. Narendra Paul.
11. George Charles Nahapiet.
12. Raghubir Sahai.
13. Makhan Lal Barua.*
14. K. S. Thomas.
15. A. M. Madhavan Nambiar.
16. Walter George D'Souza.
17. Ghulam Gaus Samdani.
18. George Wilsteed Rodrigues.*
19. Herbert Harris.
20. Dharm Pal Verma.
21. Anand Prakash Gupta
22. L. V. Rajagopalan.
23. Shri Ram Gupta.
24. Abdus Salek Shahiduzzaman.*
25. Rattam Lal Syal.
26. Mahesh Chandra Misra.*
27. Horish Chandar.
28. Sadanand Harichandra Hatawar.
29. Austin Brock Myatt.
30. Anadi N. Chackerbutty.*
31. George Edmund Carvalho.*
32. William V. C. Thomas.
33. Gerard Athaide.
34. B. P. Pathak.
35. P. Parameswara Prasad.
36. William G. H. Cooke.
37. Sidney Arthur Croxson.*
38. Vasudeva A. Kamath.
39. Gour Chandra Ghosh.
40. Harold Augustus Hall.*
41. Govind Swarup.
42. Peter Kershaw.*

43. Bhupendra Nath Chaturvedi.
44. Syed Mohd. Zahir Abid.
45. Harold S. M. Bose.*
46. Benedict M. Lobo.
47. Sham Kumar Uberoi.
48. Bimal Chandra Bose.*
49. Mohammed Zaullah.
50. Dominic Braganza.
51. Ghaffar Ahmad Muraj.
52. Maqan Gopal.
53. Asad Ahmad Zuberi.
54. Mustafa Anwar.*
55. John Richard F. Waddle.*
56. Manohar Singh.
57. James Arthur Maaetenoz.
58. Md. 'Aboul Barkat.*

Distribution of candidates according to communities.

| | | | | | | | | | | |
|-------------------|---|---|---|---|---|---|---|---|---|----|
| Anglo-Indians | . | . | . | . | . | . | . | . | . | 14 |
| Parsis | . | . | . | . | . | . | . | . | . | 1 |
| Mohammedans | . | . | . | . | . | . | . | . | . | 9 |
| Hindus | . | . | . | . | . | . | . | . | . | 27 |
| Indian Christians | . | . | . | . | . | . | . | . | . | 6 |
| Sikhs | . | . | . | . | . | . | . | . | . | 1 |
| Total | | | | | | | | | | 58 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

121. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks candidates from the Calcutta centre) in the executive branch who duly passed the medical examination and eye-sight test at Bombay in January 1935?

(b) How many of them were (i) Parsees, (ii) Anglo-Indians, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement giving the desired information.

List of successful candidates in the Executive branch who duly passed the medical examination and eye-sight test at Bombay in January, 1935.

(Candidates from Calcutta centre are marked with asterisks.)

| Serial No. | Name. |
|------------|------------------|
| 1. | Z. Cursetjee. |
| 2. | G. E. R. Bonner. |
| 3. | M. R. Savur. |
| 4. | R. S. Ottley. |
| 5. | V. Srinivasan. |
| 6. | A. K. Gupta.* |
| 7. | P. K. Deshmukh. |
| 8. | Narendra Paul. |
| 9. | G. C. Nahapiet. |
| 10. | Raghubir Sahai. |

| Serial No. | Name. |
|------------|-----------------------|
| 11. | M. L. Barua.* |
| 12. | K. S. Thomas. |
| 13. | A. M. M. Nambiar. |
| 14. | W. G. D'Souza. |
| 15. | G. G. Samdani. |
| 16. | G. W. Rodrigues.* |
| 17. | Herbert Harris. |
| 18. | D. P. Verma. |
| 19. | A. P. Gupta. |
| 20. | L. V. Rajagopalan. |
| 21. | S. R. Gupta. |
| 22. | A. S. Shahiduzzaman.* |
| 23. | Horish Chandar. |
| 24. | S. H. Hanawar. |
| 25. | A. B. Myatt. |
| 26. | A. N. Chackerbutty.* |
| 27. | G. E. Carvalho.* |
| 28. | W. V. C. Thomas. |
| 29. | Gerard Athaide. |
| 30. | B. P. Pathak. |
| 31. | P. P. Prasad. |
| 32. | W. G. H. Cooke. |
| 33. | S. A. Croxson.* |
| 34. | V. A. Kamath. |
| 35. | G. C. Ghosh. |
| 36. | H. A. Hall.* |
| 37. | Peter Kershaw.* |
| 38. | B. N. Chaturvedi. |
| 39. | S. M. Z. Abid. |
| 40. | H. S. M. Bose.* |
| 41. | B. M. Lobo. |
| 42. | S. K. Uheroi. |
| 43. | B. C. Bose.* |
| 44. | Mohamad Zaullah. |
| 45. | Dominic Braganza. |
| 46. | G. A. Muraj. |
| 47. | Madan Gopal. |
| 48. | A. A. Zuberi. |
| 49. | Mustafa Anwar.* |
| 50. | J. R. F. Waddle.* |
| 51. | Manohar Singh. |
| 52. | J. A. Maartenoz. |
| 53. | M. A. Barkat.* |

Distribution of candidates according to Communities.

| | | | |
|-----------------------|----|---------------------------|----|
| Anglo-Indians | 14 | Hindus | 23 |
| Parsis | 1 | Indian Christians | 6 |
| Mohammedans | 8 | Sikhs | 1 |
| Total | 53 | | |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

122. **Mr. Amarendra Nath Chattopadhyaya:** Is it not a fact that in October, 1934, only 75 candidates appeared at the examination for the Engineering Branch of the training on the ship "Dufferin", and 32, having passed, were invited to go to Bombay for medical examination and interview? If not, what was the exact number?

The Honourable Sir Muhammad Zafrullah Khan: 79 (not 75) candidates appeared at the qualifying examination of October, 1934, for the Engineering Branch of the I.M.M.T.S. "Dufferin", and 31, having passed, were invited to go to Bombay for medical examination and interview.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

123. Mr. Amarendra Nath Chattopadhyaya: In connection with training on the ship "Dufferin" will Government lay on the table a list of those successful candidates (marking with asterisks candidates from the Calcutta centre) of the Engineering Branch in order of merit at the examination?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement giving the information asked for.

(List of successful candidates of the Engineering Branch in order of merit at the qualifying examination of October, 1934.)

(Candidates from the Calcutta Centre are marked with asterisks.)

1. S. Kasthuri.
2. C. S. Sundaram.
3. Inderjit Bhattacharjea.
4. K. Partbasarathy.
5. Mahmud Ahmad Ansari.
6. M. Krishnan.
7. R. Thiagarajan.
8. Amar Singh Bhardwaj.
9. Nirmal Chandra Lahiri*.
10. Arjan Gopaldas Bhavnani.
11. Donald Elkins.
12. Yag Dutta Mohindra.
13. Paul Chinnial Martin.
14. Reginald St. Clair Nicholas.
15. W. Ananta Raghavan.
16. Robert George Dushe.
17. Maung Kaung Nyun.
18. Arjan Singh Sahi.
19. Albert Oswald Nazareth.
20. Donald T. H. Meneaud.
21. Thomas S. Rajan.
22. Desmond Dees.
23. Lakshman R. Mukherji.
24. Philip Pereira.
25. Richard Willoughby Marshall.
26. Danal P. Chakravorthy.
27. Ruston Noshirwan Dalal.
28. Manohar Moreshwar Deshpande.
29. Bhim Sain Kumar.
30. R. Viswanathan.
31. Vigyan Chandar Devvedi.

Distribution of candidates according to communities.

| | |
|-----------------------------|-----------|
| Anglo-Indians | 6 |
| Parsis | 1 |
| Mohammedans | 1 |
| Hindus | 15 |
| Indian Christians | 5 |
| Sikhs | 2 |
| Buddhists | 1 |
| Total | <u>31</u> |

SELECTION OF CADETS FOR TRAINING ON THE " DUFFERIN ".

124. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the ship "Dufferin" will Government lay on the table a list of those successful candidates (marking with asterisks candidates from the Calcutta centre) of the Engineering Branch who duly passed the medical examination and eye-sight test at Bombay in January 1935?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muham-madans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement furnishing the information asked for.

List of successful candidates of the Engineering Branch who passed the medical examination and eye-sight test at Bombay in January, 1935.

(Candidates from Calcutta centre are marked with asterisks.)

1. S. Kasthuri.
2. C. S. Sundaram.
3. Inderjit Bhattacharjee.
4. K. Parthasarathy.
5. M. A. Ansari.
6. M. Krishnan.
7. N. C. Lahiri.*
8. A. G. Bhavnani.
9. Donald Elkins.
10. Y. D. Mohindra.
11. P. C. Martin.
12. B. S. C. Nicholas.
13. W. Ananta Raghavan.
14. R. G. Bushe.
15. M. K. Nyung.
16. A. S. Sahi.
17. A. O. Nazareth.
18. D. T. H. Meneaud.
19. T. S. Rajan.
20. Desmond Dees.
21. L. R. Mukherji.
22. Philip Pereira.
23. R. W. Marshall.
24. D. P. Chakravorthy
25. R. N. Dalal.
26. M. M. Deshpande.
27. B. S. Kumar.
28. R. Viswanathan.

Distribution of candidates according to communities.

| | |
|-------------------|----|
| Anglo-Indians | 6 |
| Parsis | 1 |
| Mohammedans | 1 |
| Hindus | 13 |
| Indian Christians | 5 |
| Sikhs | 1 |
| Buddhists | 1 |
| Total | 28 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

125. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the ship "Dufferin", will Government lay on the table a list of those disappointed candidates (marking with asterisks candidates from the Calcutta centre) of the Engineering Branch who duly passed the medical examination and eye-sight test at Bombay in January, 1935, but were finally rejected?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement giving the information asked for.

List of candidates of the Engineering Branch who passed the medical examination and eye-sight test at Bombay in January, 1935, but were finally rejected.

(Candidates from Calcutta centre are marked with an asterisk.)

| Serial No. | Name. |
|------------|-----------------|
| 1 | N. C. Lahiri*. |
| 2 | A. G. Bhabhani. |
| 3 | Y. D. Mohindra. |
| 4 | P. C. Martin†. |
| 5 | L. R. Mukherji. |
| 6 | R. Viswanathan. |

NOTE.—Candidate P. C. Martin, who stood next in order of merit after the 25 selected candidates, was rejected, and was subsequently called back in the vacancy caused by the withdrawal of a selected Cadet Inderjit Bhattacharjee.

Distribution of candidates according to communities.

| | |
|-------------------|---|
| Anglo-Indians | 0 |
| Parsis | 0 |
| Mohammedans | 0 |
| Hindus | 5 |
| Indian Christians | 1 |
| Total | 6 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

126. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the ship "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks the candidates from the Calcutta centre) who having applied for either of the two courses duly passed the medical examination and eye-sight test at Bombay in January, 1935?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I lay on the table a statement giving the desired information.

List of successful candidates who having applied for either of the two courses, passed the medical examination and eye-sight test at Bombay in January, 1935.

(Candidates from the Calcutta Centre are marked with an asterisk.)

| Serial No. | Name. |
|------------|---------------------------|
| 1 | *George Humphrey Leather. |
| 2 | Denzil Robert Esteves. |
| 3 | *Mian Shafique Anwer. |
| 4 | Wilson Hayeraj Chellappa. |
| 5 | *Dhirendra Kumar Halder. |
| 6 | Eustace Maxwell Clements. |
| 7 | Mohammaddullah Khan. |
| 8 | Syed Zahid Hasnain. |

Distribution of candidates according to communities.

| | | | | | | | | | | | | |
|-------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| Anglo-Indians | . | . | . | . | . | . | . | . | . | . | . | 3 |
| Parsees | . | . | . | . | . | . | . | . | . | . | . | 0 |
| Muhammadans | . | . | . | . | . | . | . | . | . | . | . | 3 |
| Hindus | . | . | . | . | . | . | . | . | . | . | . | 1 |
| Indian Christians | . | . | . | . | . | . | . | . | . | . | . | 1 |
| | | | | | | | | | | | | 8 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

127. **Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the ship "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks the candidates from the Calcutta centre) who, having applied for either of the two courses, were finally selected as cadets of the "Dufferin"?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I lay on the table a statement giving the desired information.

List of successful candidates who having applied for either of the two courses were final y selected in January, 1935.

(Candidates from the Calcutta centre are marked with an asterisk.)

| Serial No. | Name. |
|------------|---------------------------|
| 1 | *George Humphrey Leather. |
| 2 | Eustace Maxwell Clements. |
| 3 | Syed Zahid Hasnain. |

Distribution of candidates according to communities.

| | | | | | | | | | | |
|---------------|---|---|---|---|---|---|---|---|---|---|
| Anglo-Indians | . | . | . | . | . | . | . | . | . | 2 |
| Parsees | . | . | . | . | . | . | . | . | . | 0 |
| Muhammadans | . | . | . | . | . | . | . | . | . | 1 |
| Hindus | . | . | . | . | . | . | . | . | . | 0 |
| Total | | | | | | | | | | 3 |

SCHOLARSHIPS GRANTED TO CADETS FOR TRAINING ON THE "DUFFERIN".

128. **Mr. Amarendra Nath Chattopadhyaya:** (a) Are Government aware that the following paragraph appears at page 12 of the prospectus for training on the ship "Dufferin"?—"Scholarships:—Six scholarships each of the value of a remission of half fees, *viz.*, Rs. 25 per month, have been granted by the Government of India. These are tenable for three years provided that the boy makes satisfactory progress. The object of these scholarships is to assist those parents or guardians who are not in a position to pay the full fees to send their boys to the training ship".

(b) Will Government lay on the table a list of the recipients of these scholarships up-to-date?

(c) How many of them were, (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes; the page referred to is of the 1934 edition of the Prospectus. The paragraph in question now appears on page 14 of the 1935 edition in a slightly modified form.

(b) and (c). I lay on the table a statement giving the desired information.

Holders of the Government of India Half Fees Scholarship since 1927.

1927—1930.

| Serial No. | Name. | Remarks. |
|------------|------------------|----------|
| 1 | A. W. Correa. | |
| 2 | E. J. Moon. | |
| 3 | Pren Nath Kohli. | |
| 4 | S. K. Kumarhia. | |
| 5 | E. G. Carroll. | |

1929—31.

| | |
|----|-----------------|
| 6 | H. R. Claudine. |
| 7 | D. K. Tamhane. |
| 8 | A. K. Mukherji. |
| 9 | S. M. Rizvi. |
| 10 | G. D. Plomer. |
| 11 | M. S. Ibrat. |

| | | 1930—1932. | Remarks. |
|------------|---------------------|------------|---|
| Serial No. | Name. | | |
| 12 | A. N. Hussein Khan. | | |
| 13 | J. H. G. Clay. | | |
| 14 | C. E. Oates. | | (The one released by M. H. Maw, awarded for the 3rd to 6th term.) |
| 15 | H. H. Maw | | Held for 1st & 2nd terms only. |
| 16 | L. P. Clarkson. | | |
| 17 | D. B. Kashyap. | | |
| 18 | Abul Khair. | | |

1931—1933.

| | | | |
|----|----------------------|--|--------------------|
| 19 | A. R. K. Pasha. | | |
| 20 | D. St. J. Cameron. | | |
| 21 | L. Blake. | | |
| 22 | T. V. Ganpathy. | | |
| 23 | N. M. Hill | | I to V terms only. |
| 24 | H. S. Marker. | | |

1932—1934.

| | | | |
|----|-----------------------------|--|-------------------------------------|
| 25 | S. Masood Hussain | | From II to VI terms only. |
| 26 | P. T. M. O'Kelly | | I term only (II term penalty fees). |
| 27 | L. L. Lopez | | Disabled and left ship in 1st term. |
| 28 | S. J. Dolan | | From II to VI terms only. |
| 29 | B. A. Samsen. | | |
| 30 | G. Tinley. | | |
| 31 | P. Isidore. | | |
| 32 | P. N. Seth. | | |

1933—1935.

| | | | |
|----|------------------------|--|----------------------|
| 33 | Safdar Ali. | | |
| 34 | Jaspal Singh Chowdury. | | |
| 35 | J. V. Lobo | | II to VI terms only. |
| 36 | Pretam Singh. | | |
| 37 | A. P. Mathur. | | |
| 38 | C. E. Plomer. | | |

1934—1936.

| | | | |
|----|------------------|--|--|
| 39 | Gur Saran Singh. | | |
| 40 | W. G. Smith. | | |
| 41 | C. N. Linoel . | | |
| 42 | S. C. Pinto. | | |
| 43 | D. V. R. Curry. | | |
| 44 | M. A. Alavi. | | |

1935—1937.

| | | | |
|----|--------------------|--|--|
| 45 | Desmond Dees. | | |
| 46 | E. M. Clements. | | |
| 47 | R. S. C. Nicholas. | | |
| 48 | Mustafa Anwar. | | |
| 49 | T. S. Rajan. | | |
| 50 | H. S. M. Bose. | | |

| Serial No. | Name. | 1936—1938. | Remarks. |
|------------|-------------------|------------|----------|
| 51 | S. A. Samson. | | |
| 52 | Surendra Ratra. | | |
| 53 | Sheriar Khudabux. | | |
| 54 | R. C. Pereira. | | |
| 55 | C. V. G. Reddy. | | |

Distribution of recipients of scholarships according to communities.

| | |
|-------------------|----|
| Anglo-Indians | 20 |
| Parsees | 1 |
| Muhammadans | 9 |
| Hindus | 11 |
| Indian Christians | 8 |
| Sikhs | 3 |
| Jews | 2 |
| Buddhists | 1 |
| Total | 55 |

REMOVAL OF THE KACHISARAI POST OFFICE TO KALYANI CROSSING IN MUZAFFARPUR.

129. Mr. Satya Narayan Sinha: (a) Will Government be pleased to state if the Kachisarai Post Office has been removed to Kalyani Crossing in the town of Muzaffarpur?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if the income has since been increased by its location at Kalyani Crossing?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state the percentage in the increase of income?

(d) Are Government aware that Saraiyagunj and Kalyani are the only two places in the town of Muzaffarpur from a commercial point of view?

(e) Is it a fact that a representation signed by a very large number of people inhabiting round about Kalyani submitted a representation to the Director General and the Postmaster General, Bihar and Orissa, to remove the Post Office at Kachisarai, as it has got no importance as compared with Kalyani from the commercial or any point of view?

(f) Does the Department of Post and Telegraphs contemplate removing the Post Office located now at Kalyani Crossing to Kachisarai? If so, why?

The Honourable Sir Frank Noyce: (a) Yes.

(b) and (c). Yes—by more than 50 per cent.

(d). Yes.

(e) So far as Government are aware, no such representation was received.

(f) There is at present no proposal to move the Post Office from its present site.

**DEMAND FOR A PUBLIC CALL TELEPHONE IN THE KACHISARAI POST OFFICE:
IN MUZAFFARPUR.**

130. Mr. Satya Narayan Sinha: (a) Is there any demand from the public to have public call telephone in the Kachisarai Post Office, now located at Kalyani, which is situated at the central place of the town?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if they propose to satisfy the same demand? If not, why not?

The Honourable Sir Frank Noyce: (a) In February, 1935, the Postmaster-General, Bihar and Orissa Circle, received a joint representation from certain residents of Kalyani requesting the opening of a Public Call Office in the Kachisarai town sub-office.

(b) After full consideration the Postmaster-General decided to open a Public Call Office in the Muzaffarpur Telegraph Office which, it was thought, was the more suitable place for it and it was not considered necessary to open an additional Call Office in the Kachisarai town sub-office. The Postmaster-General will, however, be asked to examine the question again and open a public call office in Kachisarai post office if it is likely to be liberally patronised by the public.

**COMMUNAL COMPOSITION OF THE STAFF OF THE INCOME-TAX DEPARTMENT,
BIHAR AND ORISSA.**

131. Mr. Anugrah Narayan Sinha: (a) Will Government be pleased to state the number of officers of the Income-tax Department in the Province of Bihar and Orissa of different ranks, clerks, inspectors, Income-tax Officers and Assistant Commissioners of different communities—(i) Bihari Hindus, (ii) Bihari Muhammadans, (iii) Oriya Hindus, (iv) Oriya Muhammadans, (v) domiciled Bengalees, (vi) non-domiciled Bengalees, and the proportion of each of the community to the total population?

(b) Is it not a fact that, in spite of the assurance given by Sir George Schuster, in reply to question No. 492, dated the 17th September, 1931, of Maulvi Badi-uz-Zaman to the effect that there was room for communal adjustment of service and that due consideration would be made in future recruitments, out of five appointments of Inspectors made since then, three belong to the domiciled community and one only to Bihari Hindu and one to Bihari Muhammadan?

Mr. A. H. Lloyd: (a) A statement is laid on the table.

(b) The Government are satisfied that in making the appointments in question the Commissioner of Income-tax did not depart from the prescribed rules.

Statement showing the population in Bihar and Orissa and the number, by communities, of officers, etc., in the Income-tax Department, Bihar and Orissa, as it stood on the 1st September, 1935.

| Services. | Behari Hindus. | Behari Muhammadans. | Oriya Hindus. | Oriya Muhammadans. | Domiciled Bengalis. | Non-domiciled Bengalis. | Indian Christians. | Total No. of posts in each service. | Population in Bihar and Orissa. |
|-------------------------------|----------------|---------------------|---------------|--------------------|---------------------|-------------------------|--------------------|-------------------------------------|---|
| <i>Permanent.</i> | | | | | | | | | |
| Assistant Commissioners . . . | 1 | .. | .. | .. | 1 | .. | .. | 2 | Total = 3,76,77,576. |
| Income-tax Officers | 6 | 2 | 1 | .. | 5(a) | 2 | .. | 16 | Hindus = 3,10,11,474. |
| Inspector Accountants . . . | 6 | 3 | 2 | 1 | 2 | 1 | 1 | 16 | Muhammadans = 42,64,790. |
| Clerks . . . | 42 | 16 | 5 | .. | 18 | 3(b) | 4 | 88 | Christians = 3,41,894. |
| <i>Temporary.</i> | | | | | | | | | Information in details required is not available. |
| Assistant Commissioners . . . | .. | .. | .. | .. | 1(c) | .. | .. | 1 | |
| Income-tax Officers | .. | .. | .. | .. | .. | .. | .. | .. | |
| Inspector Accountants . . . | 4 | 1 | 1 | .. | 3 | 1(d) | .. | 10 | |
| Clerks . . . | 14 | 5 | 1 | .. | 9 | .. | 2 | 31 | |

(a) One has been appointed as temporary Assistant Commissioner.

(b) One has been promoted as temporary Inspector Accountant.

(c) Promoted from the permanent cadre of Income-tax Officers.

(d) Promoted from the permanent cadre of clerks.

APPOINTMENT OF INSPECTORS OF INCOME-TAX IN BIHAR AND ORISSA.

132. **Mr. Anugrah Narayan Sinha:** (a) How many Inspectors have been appointed by the present Commissioner of Income-tax, Bihar and Orissa, and to which of the communities each of those belong and the dates of their appointment?

(b) When was the last appointment made by him, how many posts were advertised for, and how many appointments were made?

(c) Is it not a fact that a Bengali Inspector was appointed to a post for which no advertisement was made?

(d) Is it not a fact that the last officer, who was appointed later than other officers, has been declared to have been put on the permanent cadre, while several others who were appointed before him have been declared to be temporary Inspectors? If so, why?

The Honourable Sir James Grigg: (a) and (b). The present Commissioner of Income-tax had, up to the latest date for which I have information, appointed six Inspectors: three Hindus in July, 1932, one Muslim and one Hindu in June, 1933 and one Hindu in August, 1933.

(c) and (d). I have satisfied myself that there was no impropriety connected with the appointment of the Inspector to whom reference is made.

COMMUNAL COMPOSITION OF INSPECTOR ACCOUNTANTS OF INCOME-TAX IN
BIHAR AND ORISSA.

133. Mr. Anugrah Narayan Sinha: (a) Will Government state the names of all the Inspector Accountants, the community to which they belong and the date on which each of them passed the departmental examination completely by the lower and higher standards, and for what periods has each officiated as Income-tax Officer and worked as Assessing Officer during the last three years?

(b) Is it not a fact that some of the Biharis (Hindus and Muhammadans), who passed the departmental examination by the higher standard and have had much better records of work have been superseded in matters of officiating appointments as Assessing Officers and Income-tax Officers, by Bengalee officers, who passed the examination by lower and higher standard much later than the former?

The Honourable Sir James Grigg: (a) I do not regard it as expedient, in the interests of the administration, to obtain and publish such detailed information regarding a number of individual officers by name.

(b) There is no foundation for the implication that, in the selection of officers to officiate in higher appointments, Bengalis, as such, are given a preference over others in Bihar and Orissa.

COMMUNAL COMPOSITION OF CLERKS IN THE OFFICE OF THE COMMISSIONER
OF INCOME-TAX, BIHAR AND ORISSA.

134. Mr. Anugrah Narayan Sinha: (a) How many clerks in the Commissioner's Office belong to the domiciled community, and how many are Biharis and Muhammadans?

(b) Is it not a fact that Bihari clerks have been transferred from their home districts and that Bengalee clerks desiring to come back to their places of domicile have been posted in the place of the former?

Mr. A. H. Lloyd: (a) Four domiciled Bengalis, one Behari Hindu and one Behari Muhammadan.

(b) No.

CREATION OF A NEW POST OF ASSISTANT COMMISSIONER OF INCOME-TAX IN
BIHAR AND ORISSA.

135. Mr. Anugrah Narayan Sinha: Is it not a fact that in the Province of Bihar and Orissa posts of five of the Income-tax Officers were abolished on the recommendation of the present Commissioner, Babu Haridas Chatterjee, on the ground of retrenchment due to economic depression, and that a new post of an Assistant Commissioner has been created and filled?

Mr. A. H. Lloyd: Yes. As a result of the reorganisation sanctioned in 1928, the number of sanctioned posts of Income-tax Officers in Bihar and Orissa was reduced from 21 Income-tax Officers and three Assistant Income-tax Officers to 15. The posts in excess of the sanctioned strength were treated as supernumerary and were counted against the posts of Inspector Accountants to be abolished as and when vacancies occurred in

the Income-tax Officers cadre. In 1932, five posts were abolished, three as a measure of retrenchment and two on the promotion of the two Income-tax Officers to the post of Assistant Commissioners. Even with the abolition of five posts, the strength was in excess of the sanctioned strength by one officer in 1932. A new post of Assistant Commissioner has been temporarily sanctioned up to February, 1933, mainly as a result of increase in the number of appeals owing to "lower income" assessments.

COMMUNAL COMPOSITION OF THE PERSONS APPOINTED IN THE INCOME-TAX DEPARTMENT, BIHAR AND ORISSA.

136. Mr. Anugrah Narayan Sinha: Will Government be pleased to lay on the table a statement showing the names of persons, and their communities, appointed to fill up all posts, gazetted or non-gazetted, permanent or temporary, during the regime of the present Commissioner of Income-tax, Bihar and Orissa?

The Honourable Sir James Grigg: I do not consider it to be expedient, in the interests of the administration, that I should obtain and publish such detailed information regarding officers by name.

SUPPLY OF COPIES OF THE ORDERS OF APPEALS AND REVISIONS TO THE APPELLANT IN INCOME-TAX CASES IN BIHAR AND ORISSA.

137. Mr. Anugrah Narayan Sinha: (a) Will Government be pleased to state if there is a Government circular to the effect that the copies of the orders of appeals and revisions should be supplied to the appellant in income-tax cases as soon as the order is passed?

(b) Is it a fact that this circular is not followed in the province of Bihar and Orissa?

(c) Will Government be pleased to state the number of cases in which copies of the order were supplied in more than one month from the date of application in the three offices of Income-tax, Assistant Commissioners' and Commissioners', separately?

Mr. A. H. Lloyd: (a) No.

(b) Does not arise.

(c) Assistant Commissioner of Income-tax, Central Range, 12;
Assistant Commissioner of Income-tax, Northern Range, six;
Assistant Commissioner of Income-tax, Southern Range, nil.
Commissioner of Income-tax, Bihar and Orissa, one.

AMENDMENT OF THE INDIAN MEDICAL COUNCIL ACT.

138. Mr. V. V. Giri: Will Government be pleased to state:

(a) whether under the provisions of the Indian Medical Council Act, an elected representative of a University who ceases to be a member of the Faculty of the University concerned, may continue his membership on the Indian Medical Council;

- (b) whether it is a fact that the Madras Medical Registration Act has been amended in 1935, providing for a member elected by a University from its Faculty of Medicine, vacating his seat on the Medical Council automatically on his vacating his seat on the Faculty of Medicine of the University concerned; and
- (c) whether Government propose to consider the desirability of amending the Indian Medical Council Act with regard to the University representatives on the lines of the Madras Medical Registration Amending Act of 1935?

Sir Girja Shankar Bajpai: (a) Yes.

(b) Yes.

(c) Government will consider the question.

**REPORT OF THE INSPECTORS OF THE INDIAN MEDICAL COUNCIL ON THE
ANDHRA UNIVERSITY DEGREES AND VIZAGAPATAM MEDICAL COLLEGE. .**

139. **Mr. V. V. Giri:** (a) Will Government be pleased to lay on the table a copy of the report of the Medical Inspectors of the Indian Medical Council, on the Andhra University Degrees and the Vizagapatam Medical College?

(b) Will Government be pleased to state whether it is a fact that the majority report was in favour of considering the Medical College, Vizagapatam as sufficient for recognition and whether only one of the Inspectors dissented?

(c) What were the grounds on which the dissent was based?

(d) Was it one of the principal grounds, on which one member dissented from the majority report, that he saw no reason to assume that the Government of Madras, who were the final authority to give sanction to the plans and projects for the improvements of the Vizagapatam Medical College, which had been repeatedly placed before them without success in the past, were certain to give an answer other than the one they had previously given?

(e) Will Government please state, whether, and when, the Indian Medical Council had considered the above report and decided about the recognition of the Andhra University Medical Degrees and the Course of Instruction given in the Vizagapatam Medical College? If so, what were the decisions taken by the Indian Medical Council and when?

(f) If the decisions of the Indian Medical Council were adverse, what were the grounds on which the recognition was refused?

(g) Will Government be pleased to place on the table the proceedings of the Council on the subject?

Sir Girja Shankar Bajpai: (a) A copy of each of the reports has been placed in the Library of the House.

(b) Yes.

(c) and (d). The Honourable Member is referred to the report, a copy of which has been placed in the Library of the House.

(e) Yes, in October, 1935. The Council recommended that the medical degrees of the Andhra University be not placed on Schedule I of the Indian Medical Council Act of 1933.

(f) The decision was based on the reports made by the Inspectors.

(g) A copy of the resolutions passed by the Medical Council of India has been placed in the Library of the House

**RECOGNITION OF THE MEDICAL DEGREES OF THE ANDHRA UNIVERSITY
BY THE INDIAN MEDICAL COUNCIL.**

140. **Mr. V. V. Giri:** (a) Will Government be pleased to state whether the Indian Medical Council received any communication or representation prior to its last meeting from the Andhra University, and/or the Government of Madras, and if so, the date on which the Indian Medical Council received these communications? Will Government be pleased to lay the copies of these communications on the table of this House?

(b) Did the Indian Medical Council receive any representations or communications from the Government of Madras, or from its Surgeon-General, assuring the Indian Medical Council that the recommendations of the Indian Medical Council's Inspectors, regarding the improvements in the Medical College and the attached King George Hospital, would be effected at an early date?

(c) Is it a fact that the Indian Medical Council was informed by the Madras Government that the proposals for expenditure submitted by the Andhra University for the improvement schemes of the Vizagepatam Medical College, and the attached Hospital, were far in excess of the actual requirements for carrying into effect the recommendations of the Indian Medical Council's Inspectors in their report, and whether this was stated as a reason for the inability of the Government of Madras to take action immediately on the Inspectors' Report?

(d) Did the Indian Medical Council receive any communication from the Andhra University, and/or the Government of Madras after their decision not to recognise the Andhra University Medical Degrees; and if so, will Government be pleased to lay copies of the communications on the table?

(e) In view of any such communication, do the Indian Medical Council contemplate reconsideration of the question of the recognition of the Andhra University's Medical Degrees at their next meeting?

(f) In view of the recent decision of the Indian Medical Council regarding the Andhra University Medical Degrees, what is the status of the Andhra University Medical Graduates regarding their eligibility to:

(i) the I.M.S.,

(ii) service in provinces other than Madras and in the Native States,

(iii) registration as graduates in other British Indian Provinces than Madras, and

(iv) registration and service in the British Empire outside India?

Sir Girja Shankar Bajpai: (a) A representation from the University authorities was received by the Council on the 28th October, 1935, one

day before the meeting. This representation enclosed a long list of proposed reforms submitted by the University to the Government of Madras. Government do not consider it necessary to place the documents on the table of the House.

(b), (c) and (d). No.

(e) Does not arise.

(f) The medical graduates of the Andhra University are not at present eligible for appointment to the Indian Medical Service or for registration in British Colonies in which registration is dependent upon registration in the United Kingdom. Service in the provinces and Indian States as well as registration in the provinces is not affected by the decision of the Medical Council of India in question.

ENTRY OF INDIANS INTO STATES, DOMINIONS AND COLONIES.

141. **Mr. Husenbhai Abdullabhai Laljee:** Will Government be pleased to lay on the table a statement with regard to:

- (a) the conditions laid down by the States, Dominions and Colonies, enumerated in the list below, on the entry of Indians into their countries:
 - (i) as tourists, or
 - (ii) for carrying on trade and commerce, or insurance, or banking business, or for any similar purpose, or
 - (iii) for establishing industries, or
 - (iv) for entering into services, or
 - (v) for owning residential or other properties, or
 - (vi) for agricultural purposes;
- (b) any legislations, prevailing in any of these countries, discriminating between the status of Indians living there and that of the natives of those countries; and
- (c) conditions placed by the Government of India on the nationals of these countries when they enter India for any of the above objects, and/or when they reside in India for any of the above or similar objects?

List.

- (1) *Europe*.—France, Germany, Norway, Sweden, Belgium, Holland, Switzerland, Austria, Hungary, Italy, Poland, Czecho-Slovakia, Jugo-Slavia, Spain, Portugal, Greece, Roumania, Turkey and Russia.
- (2) *Dominions of New Zealand and Commonwealth of Australia*.
- (3) *America*.—U. S. A., Canada, British Columbia, Mexico, Panama, British Guiana, Dutch Guiana, Brazil, Argentine and Chile.
- (4) *West Indies*.—Jamaica, Trinidad and Cuba.
- (5) *Africa*.—Egypt, Sudan, British Somaliland, Italian Somaliland, Abyssinia, Kenya, Zanzibar, Uganda, Tanganyika, Portuguese East Africa, Northern Rhodesia, Southern Rhodesia, Nyasaland, Natal, Transvaal, Cape Colony, Belgium Congo, Madagascar, Mauritius, Gold Coast Colony and Tripoli.

- (6) *Asia*.—Palestine, Iraq, Hedjaz, Persia, Afghanistan, Ceylon, British Malaya, Borneo, Dutch East Indies, Siam, Fiji, French Indo-China, Japan, Korea, Manchuko and China.

Sir Girja Shankar Bajpai: As regards Empire countries such information as can be made available is being collected and will be laid on the table in due course.

As regards the rest of the world the Government regret that they are unable to furnish a statement of the kind desired by the Honourable Member without an expenditure of time, labour and expense which would be incommensurate with the results that might be achieved.

APPLICATION OF THE NEW SCALES OF PAY TO THE RE-EMPLOYED STAFF OF THE AUDIT AND ACCOUNTS DEPARTMENT.

142. Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state if they are aware of the extreme distress prevailing among the re-employed staff in the Audit and Accounts Department owing to the application of the new scale?

(b) Is it a fact that the new scales have been applied to these men because they got the retrenchment concessions at the time of their discharge? If so, will Government please state whether the special gratuity which was granted to them was admissible to these men? If not, why was the amount granted to them?

(c) Is it a fact that they got the gratuity under the special orders of Government framed for the purpose?

(d) Is it a fact that they were not warned of the adverse consequences of the acceptance of the retrenchment concessions? If so, will Government please state why this fact is being allowed to stand in their way in attaining their former status?

The Honourable Sir James Grigg: The information is being obtained and will be laid on the table of the House in due course.

HARDSHIPS OF THE RE-EMPLOYED STAFF IN THE AUDIT AND ACCOUNTS DEPARTMENT.

†143. Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state whether they have verified that the amount of gratuity paid at the time of retrenchment to the re-employed staff in the Audit and Accounts Department, hardly exceeded Rs. 200 in any case, but the total earning of a re-employed clerk during the course of his service, taking into consideration the advance increments granted by the Auditor General in respect of his past service, will be reduced from Rs. 48,000 to Rs. 28,000. *i.e.*, a decrease of about Rs. 20,000 each, and that the pay fixed in the new scales falls short by about 40 per cent., taking into consideration the advance increments, of what he would have got had the old scale of pay been allowed to him?

(b) Is it a fact that the majority of these men entered service originally some seven or eight years ago and now have advanced in age and are not

†For answer to this question, see answer to question No. 142.

likely to be confirmed during the next four or five years, and that consequently they will not be able to put in more than 20 years qualifying service? If so, is it a fact that they are not likely to reach even the low maximum of the new scale, and thus the amount of their pensions will be considerably reduced?

(c) If the answer to parts (a) and (b) be in the affirmative, will Government please state what further action they propose to take to mitigate their hardships?

HARDSHIPS OF CLERKS DISCHARGED FROM PAY AND ACCOUNTS OFFICES IN THE UNITED PROVINCES AND IN DELHI.

†144. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that, on the abolition of the various Pay and Accounts Offices in the United Provinces and in Delhi, it was decided that the clerks discharged from these offices should be re-employed in the offices of the Accountant General, United Provinces, and Central Revenues, and waiting lists have been maintained for that purpose just as in the Railway Department? If so, will Government please state why they decided to extend the special concessions, particularly in the Audit Department, without intimating its adverse consequences?

(b) Are Government aware that the gratuity granted at the time of their discharge was drawn by them under the reasonable belief that, when they will be re-employed, they would refund the amount and get the benefit of Article 511, Civil Service Regulations, and Fundamental Rule 22?

(c) Is it also a fact that the re-employed personnel submitted memorials in 1932 to be allowed to refund the gratuity and to get the old scales? If so, why was their request not accepted, although the terms offered on re-employment were finally settled in 1934?

HARDSHIPS OF THE RE-EMPLOYED STAFF OF THE AUDIT DEPARTMENT.

†145. **Pandit Sri Krishna Dutta Paliwal:** (a) Are Government aware that the Railway Board, the Governments of Madras and the United Provinces in their Notification No. 807-F. G.-II, dated the 31st August, 1934, paragraph 5 of G. O. No. 311-Public (Services), dated the 13th April 1933 and paragraph 3 of G. O. No. F. L.-1517/X-216, dated the 11th January, 1932, have ordered that all Government servants, whether permanent or temporary, who were in service prior to the dates fixed for the application of new scales, will get the old scales on re-employment?

(b) Will Government please state why they have not extended the benefits of the old scales to the re-employed men in the Audit Department who entered service so many years before that date?

(c) Is it a fact that even in the Audit Department Government allow the benefits of old scales to all persons who reverted as a result of scrapping of the Separation Scheme and to such discharged men who were able to get some employment elsewhere and thus keep up the continuity of service? If so, why are the old scales not given to all re-employed men who originally entered service before 15th July, 1931?

†For answer to this question, see answer to question No. 142

(d) Is it a fact that the Separation Scheme was scrapped on grounds of financial stringency, and that the financial position of Government has considerably improved? If so, are Government prepared to reconsider the case of the re-employed staff of the Audit Department sympathetically?

NON-GRANT OF OLD SCALES OF PAY TO THE STAFF OF THE RAILWAY ACCOUNTS UNDER THE AUDITOR GENERAL IN INDIA AND THE AUDIT DEPARTMENT.

†146. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the Governments of Madras and the United Provinces and the Government of India (Railway Department) have allowed the old scales of pay to the re-employed personnel, who entered service prior to the 15th August, 1931—introduction of the new scales—and the 15th July, 1931, respectively, irrespective of any break? If so, will Government please state why the same has not been done in the case of the staff of the Railway Accounts under the Auditor General in India and the Audit Department?

(b) Do Government propose to rectify the anomaly? If not, why not?

NON-GRANT OF OLD SCALES OF PAY TO THE RAILWAY STAFF AND THE STAFF OF THE AUDIT DEPARTMENT.

†147. **Pandit Sri Krishna Dutta Paliwal:** Is it a fact that the control of the subordinate services both in the Railway Department and the Audit Department, is vested in the Governor General in Council? If so, why have the retrenched men under the Railway Board been given the old scales of pay, while the Railway staff and the staff of the Audit Department under the Auditor General in India, have been brought under the new scales of pay?

NON-GRANT OF OLD SCALES OF PAY TO RAILWAY STAFF, ETC.

†148. **Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state their policy in respect of the re-employed personnel?

(b) Is it a fact that their policy varies from department to department? If so, how do Government justify this? If not, do Government propose to take up the question of the Railway staff and other staff discharged without any concessions under the Auditor General in India and extend the old rates of pay and scales, as has been done in the Railway Board?

DISABILITY PENSION TO MILITARY EMPLOYEES INVALIDED DURING THE GREAT WAR.

149. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that Government replies to questions No. 592, dated 4th September, 1933 and 1182 (a), dated 27th November, 1933, in this House still stand? If not, will Government be pleased to state when the replies, referred to, were modified or altered, and what are their present modified and altered correct wordings?

†For answer to this question, see answer to question No. 142.

(b) Is it a fact that the final reply, given by Government to question No. 331 of 2nd March, 1934, in this House, still stands? If not, will Government be pleased to state when the final reply was modified and what its present modified or altered correct wording is?

(c) Is it a fact that paragraph 741A, Civil Service Regulations, stands as it was on the date of the final reply to question No. 331 of 2nd March, 1934? If not, will Government be pleased to state when the said paragraph was modified, and what its present modified correct wording is?

(d) Is it a fact that in the case of those, retiring on a pay of Rs. 200 per mensem and over, on account of diseases contracted on field service, relative ranks are to be determined on the basis of permanent pay, drawn on the date of final retirement from the service in accordance with Government's final reply to question No. 331 of 2nd March, 1934?

(e) Is it a fact that according to paragraph 738, Civil Service Regulations, an officer or subordinate is eligible to disability pension in addition to such ordinary civil pension as he may be eligible to under the Civil Service Regulations?

(f) Is it a fact that an officer or subordinate getting only the ordinary civil pension under the Civil Service Regulations is also eligible for the disability pension if disabled on account of diseases contracted during the Great War 1914-18 on field service?

(g) Are Government and the Finance Department now prepared to act fully according to their views stated in the replies to the above-mentioned questions?

Mr. G. R. F. Tottenham: The question is being examined and a reply will be laid on the table in due course.

INCONVENIENCES OF PASSENGERS AT THE GHUTKU STATION ON THE BENGAL AND NAGPUR RAILWAY.

150. Seth Sheodass Daga: (a) Is it a fact that Ghutku Station in Bengal Nagpur Railway, a B class Station, is open for passenger traffic since its opening, i.e., about 1892?

(b) Is it a fact that at night, 2 Up and Down trains halt there?

(c) Is it a fact that the said station is about three-quarters mile away from the town and is surrounded by fields?

(d) Is it a fact that since the demolition of the old station building, i.e., 25 years past, only a temporary shed, with tin roofing, is erected and the waiting room is open from three sides?

(e) If the reply to part (d) be in the affirmative are Government aware that it is very troublesome and inconvenient all round the year, for the passengers, i.e., at noon in summer, on account of the hot winds and hot tin roofing, during rainy season on account of the showers coming in and in winter nights because of the chilly cold weather?

(f) Is it not a fact that the platform of the said station is so low that it is very inconvenient and risky for passengers to get in and out of trains?

(g) Are Government prepared to get the said inconveniences of the passengers with regard to the station building and the waiting room redressed by the Railway authorities concerned?

The Honourable Sir Muhammad Zafrullah Khan: I would refer the Honourable Member to the reply to his question No. 51, asked in the Legislative Assembly on the 9th September, 1935. Government are not aware of any further developments.

**TEMPORARY TECHNICAL STAFF OF THE FOREST RESEARCH INSTITUTE,
DEHRA DUN.**

151. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that the Forest Research Institute, Dehra Dun consists of 70 per cent. temporary technical non-gazetted staff and economic and Silviculturist Branch taken together, the temporary staff is 90 per cent.?

(b) Is it also a fact that the majority of the above staff have put in about ten years' service, minimum being 15 years?

(c) Is it a fact that the work of the Institute is of a permanent nature?

(d) Is it further a fact that Technical Assistants are directly responsible for the actual derivation of all the experimental data under the officers and a very high degree of accuracy and efficiency of work is demanded of them?

(e) Are Government aware that technical staff of similar Research Institutes, functioning under the Government of India, are all on a permanent basis and that the Forestry Commission of 1929 reported in favour of the permanency of service?

(f) If the answer to the preceding parts be in the affirmative, will Government please state the reason or reasons for not making the service of the Technical Assistants of the above Research Institute permanent?

Sir Girja Shankar Bajpai: (a) Yes.

(b) The information given by the Honourable Member is approximately correct, except that the maximum, and not the minimum service rendered by any member of the staff mentioned by him, is 15 years.

(c) The Institute, which is devoted to forest research, is permanent.

(d) If the Honourable Member wishes to suggest that the technical assistants employed on scientific duties in this Institute have to do their work accurately and efficiently, the answer is in the affirmative. I would point out that these are qualities which every scientific institute worth the name requires of its scientific workers.

(e) and (f). The practice in this respect is not uniform. The recommendations of the Forestry Committee of 1929 related to the superior technical staff. Government do not admit that the whole of the temporary staff employed at the institute should be made permanent by reason of the work which it does. Some part of the staff must be temporary in the interests of economy. The question of making a portion of the posts, now temporary, permanent has engaged attention from time to time, but, owing to financial stringency, it has not been possible to effect the changes recommended. It is doubtful whether, until financial conditions improve substantially and permanently, any change in the existing system would be found feasible.

**TEMPORARY TECHNICAL STAFF OF THE FOREST RESEARCH INSTITUTE,
DEHRA DUN.**

152. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that some of the members of the temporary technical staff, of the Forest Research Institute, Dehra Dun who had then put in about nine years of service, were retrenched without any gratuity and compensation?

(b) Have they received any increment during the last five years? If so, what? If not, why not?

(c) Is it a fact that the technical staff does not get promotions automatically, whenever a vacancy occurs? If so, why?

(d) What steps do Government propose to take to remove the grievances of these Technical Assistants?

Sir Girja Shankar Bajpai: (a) All members of the temporary staff retrenched in 1931-32 were given a month's notice, or leave due, upto one month in lieu thereof. Of these there were only two men with nine years' service but in accordance with the general rules no compensation, gratuity or pension could be granted to them.

(b) Men on the temporary establishment are not ordinarily employed on an incremental scale of pay but increments have been granted occasionally in exceptionally deserving cases.

(c) Promotion is, as a general rule, allowed within the staff and recruitment from outside is restricted to the lowest grade. Direct recruitment is resorted to only if no suitable man on the existing staff is qualified for it.

(d) In view of the answer given to the other parts of the question this does not arise.

**INCONVENIENT TIMINGS OF CERTAIN TRAINS ON THE HOWRAH BURDWAN
CHORD OF THE EAST INDIAN RAILWAY.**

153. Mr. Akhil Chandra Datta: (a) Will the Honourable Member in charge of the Railway Department be pleased to state whether he is aware:

(i) that, on the 2nd July, 1935, the monthly ticket holders and other casual passengers to and from the Begumpur Station sent to the Chief Operating Superintendent, East Indian Railway, Calcutta, a petition pointing out the inconvenient timings of trains Nos. 105, 107 and 109 Up and 102, 104, 106 and 112 Down on the Howrah Burdwan Chord of East Indian Railway; and

(ii) that, on all days except Saturdays, the long interval of nearly five and seven hours between the running of trains Nos. 37 and 43 Up and 38 and 44 Down respectively on the Howrah Burdwan Chord has compelled the above passengers to travel by the morning Up and the afternoon Down trains to and from Janai Station of the Howrah Sheakhala Light Railway of Messrs. Martin & Co., resulting in loss of traffic to East Indian Railway and consequent loss of "Railway Revenue"?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member be pleased to state whether Government are considering the desirability of issuing the necessary instructions to the East Indian Railway Administration to remove the above grievances of the passengers, in order to bring more traffic and thereby augment the Railway Revenues?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i). The petition does not appear to have been received by the Chief Operating Superintendent.

(ii) The introduction of an additional train, namely, 108 Down, from 1st October, 1935, has reduced the interval of seven hours to 3 hours 50 minutes.

(b) I understand that, while a few passengers may find it more convenient to travel by the Light Railway, there is not sufficient traffic to justify the running of an additional train.

TAKING OVER BY THE GOVERNMENT OF THE HOWRAH SHEAKHALA LIGHT RAILWAY.

154. Mr. Akhil Chandra Datta: (a) Will Government be pleased to lay on the table a statement showing the total amount paid by the East Indian Railway to Messrs. Martin & Co., as compensation for loss of traffic sustained by their Kalipur, Chanditala and Janai Stations of the Howrah Sheakhala Light Railway during the years 1933-34 and 1934-35?

(b) Will Government be pleased to state whether they are further aware:

(i) that, during the last ten years, the compensation paid by East Indian Railway to Messrs. Martin & Co., on account of loss of traffic, sustained by their Kalipur, Chanditala and Janai Stations of the Howrah Sheakhala Light Railway was more than the capital amount of the above Light Railway;

(ii) that the above heavy compensation, paid by the East Indian Railway to Messrs. Martin & Co., has considerably retarded the improvement of the Dankuni and the Begumpur Stations of the Howrah Burdwan Chord of East Indian Railway, which have got heavy passenger traffic; and

(iii) that the lease of the Howrah Sheakhala Light Railway granted to Messrs. Martin & Co., for thirty years expired long ago?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state whether, in view of the heavy loss, caused to "Railway Revenue" by the payment of the above heavy compensation by East Indian Railway to Messrs. Martin & Co., Government are considering the desirability of taking over the Howrah Sheakhala Light Railway from the above Company, in order to effect improvement to the Dankuni and the Begumpur Stations of the East Indian Railway to augment the traffic and thereby the Railway Revenue?

The Honourable Sir Muhammad Zafrullah Khan: (a) The amount of compensation paid by the East Indian Railway to the Howrah-Sheakhala Light Railway during the last two years was as follows:

| | Rs. |
|-------------------|--------|
| 1933-34 | 39,322 |
| 1934-35 | 42,999 |

(b) (i). During the last ten years ending March, 1935, the compensation paid amounted to over rupees 4½ lakhs. The capital outlay on the light railway on that date was a little over 8¼ lakhs.

(ii) Government have no reason to believe that this is the case.

(iii) The position is explained at page 276 of the History of Indian Railways, a copy of which is available in the Library of the House.

(c) No.

REGULATIONS REGARDING DISCIPLINARY ACTION AGAINST RAILWAY STAFF.

155. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state:

- (i) whether the Railway Board have framed regulations regarding disciplinary action against non-gazetted staff, including discharge and dismissal;
- (ii) whether these rules have been sent to the Agent, Eastern Bengal Railway; if so, when;
- (iii) whether the Agent has circularised these rules to the Heads of Departments, District Traffic Superintendents, Divisional Superintendents, etc.; if so, when;
- (iv) whether it is obligatory on the Agent and his subordinate officers to observe these rules;
- (v) whether any cases of non-observance of these rules have been reported to the Agent; if so, with what results;
- (vi) whether these rules have been published in that Railway's Gazette for the information and guidance of the staff who are governed by them; if not, why not;
- (vii) whether the East Indian, the Great Indian Peninsula and the North Western Railways have published these rules in their Gazettes;
- (viii) whether the Agent, Eastern Bengal Railway, has framed any subsidiary rules; if so, whether these will be published in that Railway's Gazette; if not, why not;
- (ix) whether the Agent has delegated any powers; if so, to whom and to what extent; and
- (x) whether the powers delegated, and to what extent to each officer will be published in that Railway's Gazette?

(b) Have any provisions been made for the issue of Charge Sheets to the employees? If so, are such Charge Sheets to be issued by gazetted officers only or are subordinate officials, such as Chief Booking Clerks, Head Parcel Clerks, Station Superintendents, etc., empowered to issue them?

(c) Do Government propose to take disciplinary action against the officials responsible for the non-publication of the rules which govern the staff? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

REGULATIONS REGARDING DISCIPLINARY ACTION AGAINST RAILWAY STAFF.

156. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that the Railway Board have, with their letter No. E/34/R. G.-6, dated the 22nd June, 1935, to the Agent, East Indian Railway, issued regulations regarding disciplinary action against non-gazetted staff including discharge and dismissal,
- (ii) that the Agent has published these regulations in his Railway's Gazette No. 19 of 1935, dated the 18th September, 1935; and
- (iii) that there has been an unusual delay in communicating these regulations to the staff who are governed by them?

(b) Will Government please state:

- (i) whether any subsidiary rules have been framed by the Agent; if so, whether these subsidiary rules will be published in the Gazette; if not, why not;
- (ii) whether the Agent has delegated any powers to his subordinate officers; if so, to whom and to what extent; and
- (iii) whether this delegation of powers will be published in the Gazette?

(c) Have any provisions been made for the re-delegation of powers by the officers to whom powers have been delegated by the Agent? If so, will the re-delegation of powers be published in the Gazette? If not, why not?

(d) Is it a fact that when any penalty is imposed upon a railway servant, an appeal shall lie to the authority next above that imposing the penalty, if so, will Government please state whether, it is incumbent on the officer imposing the penalty to inform the railway servant the authority who has punished him; or will such letters be issued as from the Divisional Superintendent?

(e) Is it further a fact that provision has been made in these rules that the officer competent to pass the order of discharge may dispense with the departmental enquiry and may make an enquiry in any manner deemed proper by him? If so, do Government propose to consider the deletion of that portion from the rules? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) (i) and (ii) Yes.

(iii) No.

(b) (i). The reply to the first part is in the affirmative, as regards the latter part it is not intended to publish the subsidiary rules in the East Indian Railway Gazette, as they are meant for official use only.

(ii) Yes, as permissible under the rules.

(iii) No.

(c) No.

(d) The answer to the first part of the question is in the affirmative and as regards the latter part, the point is under examination.

(e) I would invite the Honourable Member's attention to rule 9(a) of the "Rules regulating discipline and rights of appeal of non-gazetted railway servants", a copy of which is in the Library of the House. As regards the latter part of the question, Government consider the retention of this rule necessary.

**SUBMISSION OF PETITIONS OR MEMORIALS TO THE GOVERNOR GENERAL
IN COUNCIL.**

157. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

(i) that the Railway Board have issued as an appendix to their letter No. E/34/R. G.-6, dated the 22nd June, 1935, to the Agent, East Indian Railway, Notification No. E./6/7/33-11, dated Simla, the 19th June, 1933, by the Home Department regarding the submission of petitions or memorials to the Governor General in Council; and

(ii) that Rule 7, consisting of 19 clauses and numerous sub clauses governs the withholding of petitions by the Local Government?

(b) Will Government please state why Divisional Superintendents have been included in the words "Local Government"?

(c) Is it a fact that the Divisional Superintendents are under the administrative control of the Chief Operating Superintendent and the Chief Commercial Manager and that both these Heads of Departments are under the Agent?

(d) Is it also a fact that when an aggrieved employee has once submitted an appeal to any of the local authorities, he is debarred from submitting a petition or memorial to the Governor General in Council?

(e) Does the expression "the terms of contract" mentioned in Rules 15 and 16 refer to such contracts which are executed by those engaged for special work and for fixed periods only or does it include the ordinary service agreements executed by all the non-gazetted staff appointed on State-managed Railways?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

CONTINUANCE OF THE CUT IN PAY BY THE EAST INDIAN RAILWAY.

158. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that in the Explanatory Memorandum of the Railway Budget of the Government of India, 1935-36, it is stated:

"As it has been decided that the cut in pay, originally imposed for 16 months in December 1931 and retained on a reduced scale for the two years 1933-34 and 1934-35, will not be continued beyond the end of March 1935, the recoveries shown as 'Emergency deductions from pay' during 1935-36 will accrue only in April, representing the deductions made in salaries and wages for March 1935, they are estimated at eight lakhs"?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the cut in pay or special pay has been continued after March, 1935, by the East Indian Railway? If so, why?

(c) Do Government propose to take disciplinary action against those officials responsible for the continuation of the cut in pay? If not, why not?

(d) Will the amount deducted from the pay of the employees concerned be refunded, if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) No.

(c) and (d). Do not arise

DIFFERENTIAL TREATMENT TO PASS HOLDERS OF DIFFERENT CLASSES ON THE EAST INDIAN RAILWAY.

159. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Chief Commercial Manager, East Indian Railway, has published in that Railway's Gazette, No. 25 of 1935, dated the 11th December, 1935:

"847. Pilgrim tax on Passes.—Free pass holders are exempt from paying pilgrim or terminal taxes at stations where leviable. But in cases of third class passes issued for distances more than 300 miles in terms of clause (13) of Rule 89, chapter VIII, at page 69 of Conference Rules, Part II, 1935-36 Edition, if the destination station be one where pilgrim or terminal taxes are chargeable, such taxes should be recovered along with 1/3rd fare for the distance in excess of 300 miles, such pass holders being treated as Privilege Ticket Order holders for the portion of the journey over 300 miles"?

(b) If the answer to part (a) be in the affirmative, will Government please state the reasons for this differential treatment between the first, second and intermediate classes and the third class free pass holders?

(c) Is it a fact that, prior to the introduction of the revised Free Pass Rules, first class passes were granted to gazetted officers, second class, passes to subordinates in receipt of a salary of Rs. 116 and over, intermediate class passes to the rest of the subordinate staff, and third class passes to the menial staff?

(d) Is it also a fact that under the revised Free Pass Rules, intermediate class passes will be granted to the staff in receipt of pay of Rs. 50 up to Rs. 125 and that third class passes to the subordinate staff in receipt of pay below Rs. 50 and to the menial staff?

(e) Is it the policy of Government in the Railway Department to differentiate against the humblest of their employees? If not, what action do Government propose to take? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) As the maximum distance for which a third class free pass is issued, over the East Indian Railway to an employee of another railway is 300 miles, fares at the concession rates admissible under a Privilege Ticket Order are payable for the distance in excess of 300 miles. In the case of tickets for all classes issued under Privilege Ticket Orders, pilgrim or terminal taxes are invariably recovered.

(c) Yes, except that third class passes were also given to employees generally in the lower grades.

(d) Yes.

(e) The revised rules were intended to obtain some degree of uniformity in the scale of passes admissible to staff on State-managed Railways. In the circumstances, a curtailment of some of the privileges in certain cases was unavoidable.

RECRUITMENT, CONFIRMATION, ETC., OF CERTAIN STAFF ON THE EAST INDIAN RAILWAY.

160. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether the powers conferred by the Agent, East Indian Railway, in his Circular No. 462, dated the 21st October, 1926, to the Divisional Superintendents are still in force? If so, are Divisional Superintendents prohibited, without the previous sanction of the Agent or of a higher authority, to recruit, appoint or confirm, promote or reduce, accept the resignation of or discharge of the undermentioned non-gazetted staff Engineering Department:—

(a) Overseers, Supervisors, Sub-Engineers, Bridge Foremen.

(b) Inspectors, Assistant Inspectors, Surveyors, Telephone Exchange Operators?

(b) If the answer to part (a) be in the affirmative, will Government please state:

(i) whether the non-gazetted staff referred to in part (a) are employed on the Divisions; and

(ii) whether they work under the supervision of Engineering officers (Superintendents and Assistant Superintendents) attached to each division and under the orders of the Divisional Superintendent?

(c) If the answer to part (b) be in the affirmative, under whom were this staff employed before the introduction of the divisional system of operation?

(d) Does a similar system, referred to in part (a), operate so far as the non-gazetted staff of the Transportation, Commercial, Rolling Stock, etc., attached to the divisions are concerned? If not, what are the reasons for this differential treatment?

(e) Is it a fact that two posts of Divisional Superintendents are reserved for Engineer Officers and that of the remaining four are filled by officers with Transportation, Commercial etc., experience?

(f) Do Government propose to treat all the staff attached to the divisions alike in the matter of recruitment, appointment or confirmation, promotion or reduction, acceptance of resignation or discharge? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) (i). Yes, most of them

(ii) Yes, so far as men attached to the divisions are concerned.

(c) District and Assistant Engineers.

(d) Yes.

(e) The posts of Divisional Superintendents are selection posts and they are not reserved for the officers of any particular department.

(f) Does not arise.

ABOLITION OF THE POSTS OF SUPERINTENDENT AND ASSISTANT SUPERINTENDENT OF THE WATCH AND WARD DEPARTMENT, EAST INDIAN RAILWAY.

161. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Railway Board, *vide* their letter No. E./34, P. C. 229, dated the 11th

June, 1935, decided that the posts of Superintendent and Assistant Superintendent of the Watch and Ward Department of the East Indian Railway were to be abolished from the 22nd August, 1935, and that the section was to be supervised by a Deputy with a Lower Gazetted Scale Officer to assist him?

(b) Is it also a fact that the orders of the Railway Board had the effect of having a uniform system of management of the Watch and Ward section on the State-managed Railways?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether the orders of the Railway Board, given "after a careful consideration of the question" were carried out? If not, why not?

(d) Is it a fact:

- (i) that the orders of the Railway Board, referred to in part (a), were subsequently amended and were to be given effect to from 1st January, 1936;
- (ii) that a further extension to the end of March, 1936, has been granted;
- (iii) that re-appropriations or a supplementary sanction was not necessary as provision had been made in the budget for these posts up to the 31st March, 1936;
- (iv) that these extensions have been granted as the Superintendent had declined to work as a Deputy;
- (v) that in order to enable him to earn a special additional pension of Rs. 1,500 per annum a further extension has been granted; and
- (vi) that the Agent has supported the resistance of the officiating Superintendent to the orders of the Railway Board?

(e) If the answers to parts (d), (i) to (vi) be in the affirmative, will Government please state:

- (i) whether the monetary benefits given to the Superintendent are in accordance with the canons of financial propriety; if so, under what rule;
- (ii) whether the Agent, on the suggestion of the Superintendent, approached the Agent, Eastern Bengal Railway, to amalgamate the Watch and Ward Departments of the two Railways with the Superintendent of the East Indian Railway in charge on the old rate of pay, namely, Rs. 2,300;
- (iii) whether the Eastern Bengal Railway declined the idea of such amalgamation;
- (iv) whether the Railway Board was kept informed of these attempts to frustrate the Board's decision;
- (v) whether the Chief Operating Superintendent and the Chief Commercial Manager on the East Indian Railway are under the orders of the Agent;
- (vi) whether both these officers have agreed, under the Agent's pressure, to retain the post of Deputy Superintendent, Watch and Ward, under the Agent;

- (vii) whether the Watch and Ward Departments on the other State-managed Railways are attached to the Agent's office;
 - (viii) whether the Agent has arranged that the Watch and Ward Department will be given a number of the ticket checking staff;
 - (ix) whether the Agent has obtained the consent of the Chief Commercial Manager to this suggestion; and
 - (x) whether the attachment of a certain number of the ticket checking staff to the watch and ward prevails on the other State-managed Railways, and if not, what are the special features on the East Indian Railway?
- (f) What action do Government propose to take? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

POSTING OF OFFICERS TO A DIVISION ON THE EAST INDIAN RAILWAY.

162. **Mr. Amarendra Nath Chattopadhyaya:** Will Government please state whether the senior and junior scales officers on the East Indian Railway are permanently posted to a Division? If not, what is the normal period these officers are retained in a Division?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part is in the negative. As regards the latter part it depends upon the exigencies of the service.

IRREGULARITIES IN CHARGING SALARIES OF THE SUBORDINATES ON THE EAST INDIAN RAILWAY.

163. **Mr. Amarendra Nath Chattopadhyaya:** (a) With reference to the reply given in this House on the 18th September, 1933, that there are instructions already in force on the East Indian Railway laying down that the salary of a Government servant must not be charged against a post other than that in which he is working, is it a fact that the Howrah Division has been exempted from the application of these instructions?

(b) If the answer to part (a) be in the negative, will Government please state against what posts the pay of Messrs. L. McNeill, J. Gillard, N. Whaley and E. Goff were charged during the months of November and December 1935 and whether they performed the duties of those posts?

(c) Is it a fact:

- (i) that the Transportation Inspector, Commercial, was utilised to carry on the duties of certain staff in the Chief Commercial Manager's office;
- (ii) that his pay was not debited to the Commercial Department;
- (iii) that the Chief Accountant and Booking Clerk, Howrah Station, had to perform the coaching duties of the Transportation Inspector, Commercial;
- (iv) that a relieving guard was deputed to work as Chief Accountant and Booking Clerk jointly with the permanent incumbent;

- (v) that the Goods Supervisor. Howrah Goods, performed the goods duties of the Transportation Inspector, Commercial in addition to his own; and
 - (vi) that both the Chief Accountant and Booking Clerk and the Goods Supervisor had to leave their headquarter stations frequently to perform such additional duties?
- (d) What disciplinary action do Government propose to take against the offending officials for breaches of the rules framed by Government? If none, will Government please state whether their gazetted officers on the East Indian Railway are exempted from punishment when they disobey rules? If so, why?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

ALLEGED IRREGULARITIES IN THE SELECTION OF CERTAIN EMPLOYEES ON THE EAST INDIAN RAILWAY.

164. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that the Controller of Railway Accounts issued instructions that 50 per cent. of the posts of Sub-Heads in the Accounts Department of the East Indian Railway were to be reserved for those non-gazetted employees who passed the Appendix E or D examinations; and
 - (ii) that this reservation was acted up to by the Chief Accounts Officer, East Indian Railway, to the end of December, 1934?
- (b) If the answers to part (a), (i) and (ii) be in the affirmative, will Government please state the reasons why this reservation has been discontinued?
- (c) What is the object of having departmental examinations?
- (d) Will Government please state how many promotions, officiating and permanent, have been made during 1935:
- (i) from among unpassed employees;
 - (ii) from those unpassed employees who have been reduced for inefficient work as Sub-Heads; and
 - (iii) from Appendix E or D passed employees?
- (e) Is it a fact that, in order to fill up some vacancies as Sub-Heads in the Traffic Accounts Branch, a Selection Board was convened and only the first twenty clerks in class I were summoned to appear before the Selection Board?
- (f) Will Government please state whether all the clerks in class I were eligible to appear before the Selection Board, if so, why were the remaining clerks excluded? If not, what are the rules governing the promotions to the posts of Sub-Heads?
- (g) Is it further a fact that some of the twenty clerks were compelled to sit for a written test while others were given the privilege of being examined orally? If so, are Government prepared to institute an inquiry into this method of selecting the most suitable employees? If not, why not?

Mr. P. R. Rau: (a) (i). Yes, without prejudice to the claims of those who have already held such posts satisfactorily for a number of years.

(ii) Yes, subject to the proviso mentioned in (i) above.

(b) The reservation has not been discontinued but in making such promotions, in addition to the claims of the unqualified men referred to in (a) (i) above, the claims of such of the *ex*-Company employees who have not passed the Appendix D examination have also to be considered. During Company management no such examinations were prescribed and in order to ensure that the pay and prospects of *ex*-Company staff do not suffer by the State taking over the management of the Railway it has been decided that *ex*-Company employees who are otherwise fit for promotion to Accountants' rank should be considered eligible for such appointment even though they have not passed the examinations prescribed for other staff.

(c) To test the efficiency and fitness of an individual for promotion to posts carrying responsible duties.

(d) (i). Twenty-nine men were promoted to officiate out of whom 14 have since reverted.

(ii) Nil.

(iii) Five men were promoted to officiate; three have since reverted.

(e) Yes.

(f) All the class I clerks are eligible for promotion to the grade of sub-head. Promotion to the rank of sub-head is based on efficiency as well as seniority and as the number of vacancies in the grade was small, it was not considered necessary to examine all the Class I clerks.

(g) A written test was at first held, but later on this was considered unnecessary and all the clerks were examined orally. Government do not think any enquiry is necessary.

CONFIRMATION OF CERTAIN EMPLOYEES OF THE EAST INDIAN RAILWAY ACCOUNTS DEPARTMENT AS ACCOUNTANTS.

165. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state why the non-gazetted employees of the Accounts Department of the East Indian Railway who have passed the Appendix E examination are held eligible to officiate as Accountants but are held ineligible for confirmation in the posts of Accountants?

(b) What is the policy of Government in the case of an employee considered qualified to officiate in a post with regard to his claim for confirmation?

(c) What action do Government propose to take? If none, will Government please state what procedure is in force in the Accounts Department of the other State-managed Railways?

Mr. P. R. Rau: (a) and (b). Under the rules of the Department only men who have passed the Appendix D examination are eligible for confirmation as Accountants. In view of the shortage of Accountants at the time of separation, men who passed the Appendix E examination were declared to be eligible for officiating as Assistant Superintendents (corresponding to Junior Accountants) but they cannot be confirmed as Accountants without passing the Appendix D examination.

(c) Government do not propose to take any action. The procedure in force in all the State Railway Accounts Offices is the same.

INELIGIBILITY OF CERTAIN STAFF TO OFFICIATE AS ACCOUNTANTS ON THE EAST INDIAN RAILWAY.

166. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that 57 men were appointed in 1928 to the Training School for Railway Accountants, East Indian Railway, Calcutta?

(b) If the answer to part (a) be in the affirmative, will Government please state whether they were intended, due to the separation of the Audit from Accounts from 1st April, 1929, to fill the posts of Accountants on all State-managed Railways?

(c) Is it a fact that, due to the Controller of Railway Accounts surrendering 37 out of these 57 men to the Auditor General, the Appendix D examination was then prescribed to be passed by those men who had passed the Appendix E examination before they could be confirmed as Accountants? If so, were the men informed of this likelihood before they were appointed? If not, what were the reasons for the imposition of the Appendix D examination on the men of the Training School several months after their training had started?

(d) Is it further a fact that the Controller of Railway Accounts has issued orders recently that all men who have passed the Appendix E examination will lose their eligibility even to officiate as Accountants unless they pass the Appendix D examination by November, 1936?

(e) What action do Government propose to take in the matter, if none, why?

Mr. P. R. Rau: (a) The number of men appointed was 59.

(b) The object of having the school was to train people to fill the posts of Accountants on State-managed Railways when there were vacancies for them, but it was intended that they would not be appointed permanently till they passed the prescribed, i.e., the Appendix D examination.

(c) No men who passed the Appendix E examination were surrendered to the Auditor General. The men who were sent to the Calcutta Training School were told that they would be eligible for acting as Assistant Superintendents (or Junior Accountants) on their passing the Appendix E examination, but, as I have already said, it was always understood that they could not be confirmed as Accountants without passing the Appendix D examination.

(d) Yes.

(e) Government do not consider any action is necessary. The concession hitherto allowed to men who had passed the Appendix E examination was due to shortage of fully qualified Accountants, but now that there is no shortage and as some of the men have made no serious attempt to pass the qualifying examination, the concession is being withdrawn.

JOINING TIME ALLOWED TO STAFF UNDER THE CHIEF ACCOUNTS OFFICER, EAST INDIAN RAILWAY.

167. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state what joining time is allowed to the staff under the Chief Accounts Officer, East Indian Railway, when they are transferred?

(b) Are Government aware that due to the short margin allowed, the staff have been compelled to take casual leave to enable them to carry out orders?

Mr. P. R. Rau: (a) Staff governed by the State Railway Rules are allowed joining time on transfer admissible under the Fundamental Rules. Those governed by the East Indian Railway Company Rules (*i.e.*, the *ex-Company* employees of the East Indian Railway) are not eligible for joining time.

(b) In the case of the latter, the time necessarily spent on the journey to join new posts is treated as duty, any extra time taken being treated as leave.

FILLING UP OF VACANCIES IN THE HIGHER GRADES OF THE SUBORDINATE RANKS ON THE EAST INDIAN RAILWAY.

168. **Mr. Amarendra Nath Chattopadhyaya:** (a) With reference to the reply given in this House to starred question No. 530 on the 19th March, 1934, that Government have no reason to doubt that in filling up vacancies in the higher grades of the subordinate ranks of the East Indian Railway, the claims of all persons having any claims are considered are Government aware that this procedure is not observed on the Howrah Division?

(b) Will Government please state, when promotions to higher grades depend on the passing of certain departmental examinations:

(i) whether only those employees who have passed the required examinations are considered as qualified and having claims for promotions to those posts; or

(ii) whether those employees who have not passed the required examinations are also considered as qualified and as having claims for promotions to those posts?

(c) Is it a fact that the Agent, East Indian Railway, in his Minute Sheet No. A. E.-2178, dated the 17th June, 1933, has stated:

“when promotion to a higher grade depends on passing an examination, the vacancy shall be filled by the most senior qualified man”?

(d) Will Government please state whether promotions to the posts of Head Goods Clerk and Assistant Goods Clerk, Howrah, Goods Clerk at Ramkrishnapore, and Assistant Head Parcels Clerk, Howrah, depend on passing the Goods Audit and the Coaching Examinations respectively?

(e) If the answer to part (d) be in the affirmative, have the instructions of the Agent been observed when filling these posts recently? If not, what action do Government propose to take to remedy the grievances of those of the staff who have qualified themselves by passing the requisite examinations and whose claims have been ignored?

(f) Will Government please state whether unqualified staff, after promotions to posts which depend on the passing of examinations, are to be granted leave and other privileges in order to enable them to sit for the necessary examinations? Have any such instances occurred in the Howrah Division? If so, why?

(g) Is it, the duty of the Superintendent, Staff, to point out to the competent authority that the posts can only be filled from among those

who have qualified themselves by passing the necessary examinations, if so, was this done? If not, what action do Government propose to take to ensure that due regard is paid to the rules that are in force by those whose duties require them to be aware of the rules?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

REDUCTION IN THE SCALES OF PAY OF JOURNEYMEN AND CHARGEMEN ON THE NORTH WESTERN RAILWAY.

169. Mr. Nabi Baksh Illahi Baksh Bhutto: (a) Will Government be pleased to state whether it is a fact that with the revised scales of pay introduced from 1st August, 1934, for subordinate services of State Railways, the pay of journeymen and chargemen (North Western Railway Workshop Technical Staff) has been reduced by 50 per cent., while the scales of pay of other employees have been reduced by only ten per cent. or less as the sub-joined tables indicate?

| Old Scale. | | New Scale. |
|------------------|----------------|---|
| Journeymen | Rs. 100—10—170 | 65—5/2—85 |
| Senior Chargemen | Rs. 185—15—350 | 100—10/2—120—140 (Fixed)— 160 (Fixed)—180 (Fixed). |

(This means a cut of more than 50 per cent. in their pay).

| Clerical Grade. | |
|-----------------|-----------------------------|
| 1 39—3—60 | 30—5—50—5/2—60. |
| 2 68 4—80—5—95 | 65—5/2—85. |
| 3 100—5—140 | 100—10/2—120 & 140 (Fixed). |
| 4 160—10—200 ? | |

(b) If the reply to part (a) above be in the affirmative, will Government be pleased to state their reasons for differential treatment to journeymen and senior chargemen as compared with clerical staff?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The old and revised scales of pay quoted by the Honourable Member are correct. The revised scales of pay were fixed after taking into consideration the nature of work and the degree of responsibility attached to each category of staff.

LETTER IN THE *TRIBUNE* HEADED "NORTH WESTERN RAILWAY PERSONNEL".

170. Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state whether the letter appearing in the *Tribune*, dated 4th April, 1935, on page 13 under the heading "N. W. R. Personnel" has come to their notice, and whether they intend to take any steps thereon? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part is in the affirmative. As regards the latter part I would invite Honourable Member's attention to my replies to his unstarred questions Nos. 169 and 171.

DIFFERENTIAL TREATMENT TO JOURNEYMEN IN THE MATTER OF SCALES OF PAY.

171. Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state:

- (a) whether under the old scales of pay (applicable in the case of employees recruited before 16th July, 1931) the junior chargemen and journeymen drew equal pay.
- (b) whether under the revised scales of pay, whereas the junior chargemen still draw Rs. 100—10/2—120, the pay of journeymen has been reduced to Rs. 65—5/2—85;
- (c) whether it is a fact that the journeymen are literate and better qualified in Engineering (theory and practice) than junior chargemen who are promoted from semi-literate mistry class; and
- (d) if the answers to parts (b) and (c) be in the affirmative the reasons which have actuated them to give such differential treatment to journeymen?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes.

(c) A journeyman although literate is an improver, who has completed his apprenticeship but has yet to acquire practical experience by working with his own hands before he is capable and can be allowed to supervise the work of others, whereas a junior chargeman is an employee with long service during which he has acquired all the practical experience necessary to enable him to supervise the work of others.

(d) In view of my reply to part (c) this does not arise.

APPLICATION OF THE OLD SCALES OF PAY TO SUBORDINATE SERVICES ON THE NORTH WESTERN RAILWAY.

172. Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state:

- (a) whether the new scales of Railway subordinate services have been applied even in the case of those employees who fall under exception No. 1 of paragraph 2 on page 1 mentioned in the North Western Railway Gazette Extraordinary, dated 24th September, 1934; and
- (b) if so, whether they intend to revise their decision in respect of these employees and apply the old scales to them in view of the aforesaid exception? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) Does not arise.

SELECTION OF JOURNEYMEN ON THE NORTH WESTERN RAILWAY.

173. Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state:

- (a) what considerations govern the selection of journeymen on the North Western Railway;

- (b) whether seniority in passing apprenticeship course is also taken into consideration at the time of making the selection; and
- (c) if the reply to part (b) be in the negative, whether they are prepared to consider the advisability of taking seniority into consideration, particularly in cases in which an apprentice has qualified himself and has been recommended as fit for journeymen's appointment?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration which must be left to the Agent to decide, whom a copy of the question has been sent for information.

**GRANT OF PRESIDENCY ALLOWANCE TO THE STAFF OF THE ACCOUNTS
DEPARTMENT ON THE EAST INDIAN RAILWAY.**

174. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government be pleased to state if it is a fact that a sort of Presidency allowance is granted to the staff appointed on the East Indian Railway and stationed in Calcutta, Howrah and Lillooh in consideration of comparatively costlier house-rent, etc.?

(b) If the reply to part (a) be in the affirmative, is it a fact that the staff of Accounts Department appointed in 1925, or after have been singled out in not being allowed to draw such an allowance? Is it a fact that the staff appointed in other than Accounts Department is in the enjoyment of the privilege all along and even the staff recruited in the Accounts Department recently, *i.e.*, in 1935, under the revised scales of pay, are also entitled to it?

(c) If the reply to part (b) be in the affirmative, do Government propose to take necessary steps early to extend the same privilege to the staff of the Accounts Department appointed between 1925 and 1934 as well and remove the anomaly?

(d) Will Government be pleased to state if it is a fact that class II and III clerks of the Accounts Department of the East Indian Railway are transferred from one Division to another, otherwise than by way of punishment to make up adjustment of promotion on the same pay?

(e) If the reply to part (d) be in the affirmative, are Government prepared to take steps to stop such transfers?

Mr. P. R. Rau: (a) Yes, except to the accounts staff on the old co-ordinated scales of pay.

(b) The scale of pay introduced for the Accounts Department in 1925 was fixed with reference to the cost of living at the various localities at which accounts staff were likely to be posted, whereas the scales of pay introduced in 1935 have not been so fixed. The scales of pay and allowances of the other departments of the Railway do not exactly correspond to the accounts scales.

(c) In view of the reply to part (b), Government do not propose to take any action.

(d) and (e). Yes—but such transfers cannot be avoided owing to the promotion of other clerks to Class I or as sub-heads.

CONSTRUCTION OF A LEVEL CROSSING OVER CULVERT NO. 15 NEAR BALLY STATION ON THE EAST INDIAN RAILWAY.

175 Mr. Amarendra Nath Chattopadhyaya: (a) Will Government be pleased to state if they are aware that the subway under the East Indian Railway main line culvert No. 15 near Bally Station is so low that there accumulates knee-deep water under it throughout the rainy season, as a result of which the school-going children have to suspend attendance to school for the time being, doctors cannot attend their patients living on the western side of the Railway and the farmers, finding it impossible to carry baskets of vegetables on their heads through this low culvert, are compelled to cross the Railway lines with heavy loads on their heads even at the risk of their lives?

(b) If the reply to part (a) be in the affirmative, are Government prepared to take necessary steps to remove the grievance by constructing a level crossing over the said culvert?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government consider that such matters are best left to the Administration to decide in consultation with the Local Advisory Committee. A copy of the question is being sent to the Agent for consideration.

SHORT NOTICE QUESTIONS AND ANSWERS.

RIOTS IN ZANZIBAR.

Mr. S. Satyamurti: (a) Will Government be pleased to make a statement on the riots which are reported to have taken place in Zanzibar and the disturbance in Uganda with particular reference to:

12 NOON.

- (i) the number of Indian casualties in Zanzibar and also in Uganda (if any), both among Indian officials and Indian residents;
- (ii) the area or areas in which disturbances have taken place; and
- (iii) the causes which led to the outbreak of violence on the part of the Arabs and the natives?

(b) Has the attention of Government been drawn to a press statement made in Bombay on the 9th January by Mr. Tyab Ali, who was one of the members of the Agricultural Indebtedness Commission in Zanzibar, attributing the outbreak in Zanzibar to the operation of the moratorium and to the feeling on the part of the Arabs and the natives that they were under the special protection of the Government of the Colony?

(c) What steps do Government propose to take to see that Indian lives and property are protected from mob violence?

RIOTS IN ZANZIBAR.

Mr. M. Ananthasayanam Ayyangar: (a) What was the cause of the rioting in Zanzibar?

(b) What is the extent of casualties?

- (c) Has there been any loss of lives among the Indians?
 (d) What, if any, are the steps taken to protect the Indians?

RIOTS IN ZANZIBAR.

Mr. T. S. Avinashilingam Chettiar: Will Government state:

- (a) whether there has been severe rioting in Zanzibar, on account of Government rules regarding copra;
 (b) whether Indian life and property has been destroyed;
 (c) if so, to what extent; and
 (d) what is the latest news in that matter?

Sir Girja Shankar Bajpai: With your permission, Sir, I shall answer the three questions together. As I informed the House on Monday, the 10th of this month, the Government of India telegraphed for information as soon as they saw the press report of the occurrence. They are informed that apart from the Indian Police Inspector, who like Mr. Rolleston, the District Commissioner was unfortunately killed in the encounter with the rioters, no Indians have been injured in any way, that the situation is returning to normal, and that there is no need for apprehension as regards the safety of Indian life and property. This disturbance was confined to Zanzibar, has no political or anti-Indian significance and its origin was due to attempts to improve the standard of the copra exported from the island. I have seen the statement referred to by Mr. Satyanurta, but I have been unable to trace any statement by Mr. Tyab Ali to the effect that the disturbance was due to the operation of the moratorium. The disturbance is also entirely unconnected with the trouble in Uganda referred to by the Honourable Member in regard to which particulars have been called for separately and will be furnished to the House in due course. Full details have been promised by the air-mail which left London on the 15th instant. This should ordinarily arrive here on the 21st, and I propose, soon after that, to lay a further statement on the table of the House.

RESOLUTION *RE* EXTENSION OF THE SAME LEVEL OF ADMINISTRATION TO THE PEOPLE OF THE EXCLUDED AND PARTIALLY EXCLUDED AREAS.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Resolution^{*} moved by Mr. Ram Narayan Singh on the 11th February, 1936, and the amendment[†] moved thereon by Pundit Nilakantha Das.

^{*}"That this Assembly recommends to the Governor General in Council that he may be pleased to take such steps as he thinks necessary and proper to extend the same level of administration to the people of Excluded areas, partially Excluded areas, and Chief Commissioners' Provinces including the British Baluchistan, positively from the 1st of January, 1937."

[†]"That at the end of the Resolution, the following be added :

'Particularly by immediately moving His Majesty's Government to secure an appropriate amendment to the recent Order in Council on the subject of Excluded and partially Excluded Areas.'

Mr. C. H. Witherington (Assam: European): Sir, in what I have to say, I shall speak generally of my own province, Assam, but what I say of Assam may equally apply to conditions in other provinces.

Honourable Members, who have spoken so far, have urged the need to apply education, and so on, to the Excluded and Partially Excluded Areas in India, which is likely to result from the extension of the ordinary administration to these areas. I am not going to argue on the merits or demerits of that question, but I am definitely opposed to the *sudden* application of the ordinary administration to these areas. The primitive people of the hill tribes are ignorant of the changes which are shortly coming to India, and it will be most unwise to thrust a sudden change in their lives at this time—a change of conditions they do not want and which, as far as I know, they have never expressed any desire to have. These people among the hill tribes of Assam are generally a care-free people, self-contained, self-supporting and self-sufficient. They are happy in the lives they lead and are intensely intolerant of interlopers from beyond their borders.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Except the British?

An Honourable Member: The British are always welcome?

Mr. C. H. Witherington: They have their own tribal customs and laws which they themselves rigidly enforce, and I believe they are generally moral people. They live the ideal life of those who know nothing of the worries of the outside world. All they want is to be left alone to manage their own affairs in their own way. If there is to be any change in their status and life, I consider the change should be made gradually, in a very painstaking and careful manner, and I do not think a sudden change in their status would be a wise thing at the present time. We know they are not ready yet for the responsibilities which the ordinary administration would entail, and I believe that a sudden and greater contact now with the outside world with its different mode of living and different outlook on life would have a very demoralising and deteriorating effect upon them. In this connection I want to read a Resolution passed by the Anthropological Section of the Indian Science Congress held in Calcutta on the 3rd of January, 1928, under the presidency of Dr. B. S. Guha. The Resolution reads as follows:

“Whereas it is prejudicial to the economic and cultural interests of the aboriginal tribes of India that there should be unrestrained contact between them and individuals representing a different state of culture and progress,

Whereas their growth, and even continued existence, is threatened by an inrush of traders, tourists, settlers, planters, missionaries, etc., whose callousness or ignorance in many cases are a source of constant danger to the primitive tribes,

Whereas Government are at present perhaps more alive to considerations of revenue and easy administration than to the real and ultimate well being of the aborigines and

Whereas the rapid decrease in numbers, noticeable among the Andamanese, the Todas, the Birhors, Kharos, some South Indian hill tribes and certain other tribes, demands immediate action,

Be it Resolved—That Government be approached by the Indian Science Congress to institute an immediate inquiry by competent anthropologists and other men into the situation and go in for protective legislation in the light of such inquiry.

Be it further Resolved—That the proper authorities be approached to specially consider the case of the aborigines of India and to allow the Anthropological Section of the Indian Science Congress to state before the Commission in detail the case of the aborigines of British India and the Indian States."

That, Sir, is the opinion of Indian scientists who saw the danger to the primitive tribes being brought into closer contact with outside influences, and it is the considered opinion of Indian scientists who have given the greatest study to the primitive tribes all over India.

Now, Sir, let me refer to the subject of Representation. If the ordinary administration of a province is extended to the backward areas, it must be admitted that the people of these areas must be allowed to have proper representation in the Legislature. True representation is impossible if we consider that the Akas, Daffas, Nagas and the rest of the hill tribes in Assam speak languages which are absolutely incomprehensible one to the other. I saw quite a lot of Daffas every year when I was camping on one of the rivers in Assam near the foot-hills as small parties of them passed my camp on their periodical trek to the plains to do their annual trading. I used to speak to them through one of my Miri boatmen who knew a little of one of the Daffa dialects, and I learned some interesting things about them, one of which was that all Daffas do not speak the same language and it is quite a common thing for the people of one village to be unable to understand the language spoken in another village. It seems more impossible than ever that proper representation can be procured in the Legislature when even one tribe amongst themselves speak different dialects. And when I speak of representation, I mean proper and real representation—not representation in name—I mean representation by a person who is thoroughly conversant with all the languages, tribal customs, the needs and necessities of all the peoples and tribes he is representing. And I do not see how it can be possible that *intelligent* views and opinions on their needs and necessities can be formulated by primitive and savage tribes. Surely, Sir, the whole question of proper and real representation is impossible.

Then as to the financial aspect of the question if the terms of this Resolution are carried out. There is no need for me to go into details about the extra cost of administration: I think it must be clear to all Members of this House that the extension of the ordinary administration to these backward areas would cost a great deal of money.

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural). How much?

Mr. C. H. Witherington: Well, Sir, I am not prepared to say, but I doubt very much whether the Assam Government would be prepared to put up the extra money for this enterprise. It is well known that Assam's finances are in a most insolvent state.

They have so many social services to extend and to maintain, that I do not think that it would be at all right for them to spend this extra money. We, in Assam, are hoping, Sir, that the Central Government will make a very substantial grant this year to Assam in order to allow the province to start its autonomous career in a solvent state, and, moreover, we are hoping that thereafter the Central Government will make a yearly grant to Assam in order to maintain that solvency. Will the Central Government be prepared to increase the financial assistance over and

[C. H. Witherington.]

above what is ordinarily necessary in order to permit of the extra expenditure to be incurred in administering the Excluded and Partially Excluded Areas on all fours with the rest of the Province? These are important questions, Sir, and I do urge the Honourable Members of this House to consider them very carefully before they give their verdict on this Resolution.

Eventually, Sir, I suppose these primitive tribes will be brought within the fold of civilized peoples, but it must be done slowly and carefully: and, I can think of no better method of doing this than by the present method of administration. As to whether the transition from their present happy and pleasant life to a sense of political consciousness, the doubtful advantage of the vote, and a change in their mode of living will be a good thing for them, I very much doubt; I prefer to leave that question to experts and scientists. But I am definitely opposed, Sir, to forcing the ordinary administration suddenly upon these contented people at the present time. They are not ready for it and it will take many years before they can benefit by such administrative machinery.

Mr. T. S. Avinashilingam Chettiar: How long?

Mr. C. H. Witherington: Sir, I oppose this Resolution.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Mr. President, at the outset, I offer my sincere thanks to the Mover of this Resolution for bringing it forward before this House, for, I believe, it is a very important matter and it requires serious attention and careful consideration. Sir, I listened with great interest to the speech of my friend from the European Group who represents Assam. He gave us a certain version, but so far as my recollection goes, I can only say from reading the report of the first Round Table Conference that a certain factor emerged at a later stage, which I hope will convince this House how this policy with regard to Excluded Areas has come to be evolved. First of all, there was no idea of an All-India Federation, on the ground that the people of the States were not equally cultured with the British subjects, but after successive conferences it was definitely decided that Federation was to be a settled fact. Now, if there was not to be any All-India Federation, one could understand certain parts being segregated from the rest of India, but when you are bringing the States and British India together by means of an All-India Federation, I cannot understand this policy. Then, Sir, my Honourable friend, who spoke last, was expressing grave doubts whether the Assam Government would be able to meet the cost, but has he calculated what amount it will come to? I think that if the sum under the police administration in Assam is curtailed, this can meet all the deficiencies that will come if the Excluded Areas are included in the province of Assam.

Then, Sir, there is another important factor of vital interest to me. I find, Sir, that my own district is affected, and a certain portion of my district is being segregated, and for what reason? The only reason mentioned is that their education and culture is not the same. But I can tell you with confidence, and I hope my Honourable friend from

my own district, who is here as a nominated official from the Government of Bengal, will bear me out, that there are a good many sections of the people concerned who are highly educated and cultured. For instance, Sherpur and Susang have been declared as Excluded Areas. Sir, I can hardly believe that any Honourable Member in the House or outside can assert that the education or culture prevalent in these areas is of any inferior order. I am related to the Maharaja of Susang, and I know what culture he has got, and what education he has got. And not only that, I may mention another area, that of Sherpur. Now, there are at least twelve Members who have votes in my constituency and they are equally educated, Sir, with any Member in this House. If they are to be excluded for the only reason that they are wanting in culture and education, then, may I ask why do you want a Federation of a bigger India? When you can think of a bigger unit of this country in order to satisfy the political aspirations of the people, then why do you exclude certain portions from that unit? I see no justification for keeping these areas excluded and segregated from the other portion of British India. On this point that these areas should not be excluded, I stand shoulder to shoulder with all my Honourable friends who support the Resolution.

I have a shrewd suspicion that the real reason as to why these areas are sought to be excluded is that the demand of the people of this country for self-determination is rancouring in the minds of the Britishers here and they want to keep a certain portion of India where they can give free play to their domination and they want to keep these poor people under their heels in the name of culture and education. I am glad that the Honourable the Leader of the House said the other day that the Government were keeping this matter under their consideration. So far as the Mymensingh district is concerned, I want to know definitely from my Honourable friend as to what is the actual position today. As to the exclusion of Sherpur and Susang, I can safely say that they ought not to be excluded. They are inhabited by people who have the same culture and education as the people in any other part of British India. With these words, I strongly support the Resolution and I hope the House will carry this motion.

Pandit Nilakantha Das (Orissa Division Non-Muhammadian): Sir, it is said that the people in these areas are primitive, and, therefore, they ought to be excluded from the purview of the ordinary administration. But the areas or their people are not primitive—they may not be so. It is really the primitive instinct still lurking in the people that hold and mould our destinies that want to keep these areas for the play of their savage propensity. Whatever may be the character of the Constitution that is proposed to be given, practically everything is excluded there. We have already said that the Constitution which is proposed to be given is worse than the Montagu-Chelmsford Constitution of 1919-1920. What is then the move in this further exclusion? It is savage instinct laid bare. This characterisation of Excluded and Partially Excluded Areas is moreover something which is galling to the self-respect of the people of this land on the very face of it. It is mistrust of Indians incarnate. I may say that in the constitutional phraseology there is some cloak of culture and civilisation and this exclusion in phrase and spirit is, to use a Biblical expression, the cloven feet which appear unhidden.

[Pandit Nilakantha Das.]

In the present instance, I am not concerned with the question as to finance and such other things as has been hinted, for I am now in the Province of Bihar and Orissa, and from the 1st April next, I shall be in the Province of Orissa. So, I am mainly and primarily concerned with these two Provinces. There everything is partially excluded. I do not know yet whether any money from the Centre will ever be given for the administration of the Partially Excluded Areas in the hands of the Governor in his individual judgment. Here the Governor has got some special powers. I know that Government are determined to keep at least a portion, if not two thirds of the area, as at present proposed, as partially excluded in my Province, and I hope that the Government of India will give some adequate money to Provinces like Orissa and Assam for the administration of these Partially Excluded Areas. Please pay for it if you like to have the luxury of uncovered autocracy.

Anyway, in Bihar and Orissa, there were eight districts which were under special Regulations under section 52-A of the Government of India Act. In 1927, on the 10th February, a Resolution was passed in this House demanding the bringing of these eight districts under the regular constitutional administration like the rest of the Province. In the Bihar and Orissa Legislative Council, also, this demand was often repeated and the representatives of those very people, for whose interest it is said these areas are going to be partially excluded, moved and supported that demand. But nothing has come out of all this and that for obvious reasons. Here I may quote a pertinent sentence from a great authority:

"wherever there is discretion, there is room for arbitrariness, and that discretionary authority on the part of the Government must mean insecurity for legal freedom on the part of its subjects."

This is what Dicey's Constitutional Law says. This craving for arbitrary powers is, as I have hinted, the natural savage instinct of man, which was in full play in this country in the days of the East India Company. But we are told that we have emerged like butterflies from the cocoons from the age of that East India Company. I believe those that say it mean it. I am not here today simply in a mood of carping criticism. That means very little. I hope and trust that those, who give us a Constitution embodied in constitutional and legal phraseology, really means something. I hope they will prove in actual details that we have emerged from the days of the East India Company. But I shall presently give you a picture which will show what is the real meaning of the expression "Excluded and Partially Excluded Areas". It is nothing else; if not the hideous remains of the East India Company.

You know, Sir, that in my Province, Singhbhum is partially excluded. Even the Bihar Government and the District Officers in their letters say that there is little reason why it should be partially excluded. In fact, many of those areas are recommended to be put in a short time under ordinary administration. Yet, for some reason or other, some calculation this way and that and some description of the aboriginal or primitive people, it is still sought to be kept as an excluded area. We all know that just after the Simon Commission days, the Government of Bihar and Orissa themselves recommended that most of this

area should not be excluded or partially excluded except a few *thanas* or some such thing. But there practically came a mandate in the name of Instructions and here they are.

The Government of India write to the Secretary of State :

'We read the instructions communicated to us in your letter as indicating that you wish that, so far as local circumstances may permit, the selection of Excluded and Partially Excluded Areas, throughout British India, should now be subjected to a general uniformity of treatment with the possible consequence of a considerable increase in specially protected areas' (White Paper, pp. 1 and 2)

This now clearly shows what was conveyed to the Government of India in their instructions from above. And we know that a division like Chota Nagpur, specially the district of Singhbhum, is particularly an area where there is wealth which can be exploited. Though there is a town like Jamshedpur in the Dhalbhum sub-division of the district, which has, according to official calculations, only less than half the population, what are called by the officials aboriginals or backward classes, it is not recommended for normal administration. And we know how companies after companies are cropping up there to loot the mineral wealth in the dark. I can give an instance of the Copper corporation of Ghatsila; nobody knows whom they pay, what they pay, what amount they raise, etc., for it is in an excluded and scheduled area. Now, I was reading the other day, in the papers, that the Raja of Dhalbhum wanted to lease some land to some gentlemen who are perhaps resident in Jamshedpur. It is fallow land and he has to pay revenue for it and he cannot perhaps go to any High Court to establish his right of leasing out so far as this land is concerned. Perhaps some Ordinance is there saying that he could not give it to this man or that man, and it must lie fallow. These are the things going on in an area which is full of mineral resources, for that should be a pocket land. Then, I come to Orissa

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, may I correct a mistake, if my Honourable friend will allow me? The Raja of Dhalbhum has often gone to the High Court on mining questions.

Pandit Nilakantha Das: But I shall now speak of a district which is better in point of culture than Dhalbhum, and people there are not allowed to go, not to speak of the High Court, even to a Munsiff's Court. And I come to Angul in Orissa. Both the Local Government and the Government of India agree in their opinion that this area is not at all backward and it should not be treated as a Partially Excluded Area. But the District Officer, the man on the spot, on whose report even people like Major Cadogan can move their amendments in the House of Commons, reported that it cannot be an ordinarily administered area on account of the special village administration and special arrangements in village self-government. That was the only disqualification for which it remained in the Partially Excluded Area Schedule. I shall presently show why this village system is so dear to the "man on the spot" that he wants to exclude it from ordinary administration.

About Angul it is said :

"The Sadar sub-division under direct Government management is stated now to be so advanced that it should be possible within a few years to place it on a level with the normal districts." (White Paper, p. 12.)

[Pandit Nilakantha Das.]

This is the India Government's opinion, and I need not quote the opinion of the Government of Bihar and Orissa, which is exactly to that effect. The Khondmal sub-division of the district is, of course, different. I may here explain that Angul is a district which has now two sub-divisions, one 90 miles distant from the other. One is now to be included in the Ganjam and Vizag agency. That sub-division is Khondmal, and that has nothing to do with the Angul I am speaking of. What I mean by Angul is the Sadar sub-division, and it is a distinct area. This Sadar sub-division is also called Angul Sub-division. In their report to the Government of India, the Bihar and Orissa Government say :

"The whole district of Angul is entirely withdrawn from the purview of the Central and Provincial Legislatures. Its present position corresponds to that of an 'Excluded Area' under the new constitution. In other districts of Bihar and Orissa the protection is less complete."

—Again—

The Angul sub-division is different. There the aboriginals form 18 per cent. of the population, the rest being Oriyas, and the retention of this area as a backward tract is due not so much to the lack of development as to the fact that it is completely surrounded by Feudatory States and that it preserves a special system of village self-government and village administration." (Page 110)

This is the reason given by the Local Government, and all this has been taken from the report of the District Officer, though, according to the Census 1921, the aboriginals, it may be stated here, are "negligible", and in the whole district they are only 26 per cent.

Then, there is another very advanced district, as advanced as any other district in the province, and it is Sambalpur. In that case, it is said that the Sambalpur "problem is somewhat analogous to that of the Angul sub-division". (White Paper p. 111). The Khariar Estate of C. P. is coming to Sambalpur in the new Province, and the India Government says:

"The Khariar Estate will pass to the Sambalpur district when Orissa is separated, but the Local Government express their opinion that it need not be treated as a Partially Excluded Area." (White Paper, p. 31.)

But, for some time, for certain reasons ready at hand, both these areas, i.e., Sambalpur and Khariar together will have to remain as Partially Excluded Areas. And the House will be surprised to hear that for these Excluded Areas, probably in contravention of the spirit of the new Constitution, the Governor, perhaps in his discretion or individual judgment, is going to nominate four members to the Orissa Legislative Assembly. That is, of course, the recommendation of the Hammond Committee. I do not know whether we shall here sit in discussion over those recommendations. I asked a supplementary question yesterday, and I hope my Honourable friend, the Leader of the House, will consider the advisability of considering at least these relevant questions in this House. But it is so in the recommendations of the Local Government of Bihar and Orissa as well as of the Hammond Committee that there should be four nominated members on account of these Partially Excluded Areas.

Mr. M. S. Aney (Berar Representative). Has the report of the Hammond Committee been published?

Pandit Nilakantha Das: I know it for a fact that they have recommended it. The Provincial Delimitation Committee recommended it and the Hammond Committee accepted it.

Now, the people of Sambalpur are very much perturbed as they did not expect such a measure. Here is a telegram I have received.

"The people of Sambalpur in a mass meeting protest against the proposal of the India Government recommending the district with areas transferred from the Central Provinces to be a Partially Excluded Area and authorise Messrs. Nilakantha Das and B. Das to press for recommendation of its declaration as a normally administered area."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Pandit Nilakantha Das: Yes, Sir, I am finishing. I wish to say that here in Sambalpur the people can at least hold meetings, but in Angul, where the village system is particularly tasteful and dear to the "man on the spot", it is not at all possible. Nothing can be discussed there and nobody can enter there. Under the Notification of the Governor General in Council, No. 4-G, dated the 3rd February, 1920:

"The district of Angul is entirely withdrawn from the purview of the Central and Provincial Legislatures"

Its present position, as I have said, corresponds closely to that of an entirely excluded area under the new Constitution. There is no law there, and no lawyer can enter there. The Deputy Commissioner, as I said on the last occasion, is a little Tsar there—civil, criminal, police, revenue, jail, P. W. D., all rolled into one without fear of appeal.

Mr. N. M. Joshi (Nominated Non-Official): Is there forced labour there?

Pandit Nilakantha Das: Yes; and here is a memorandum of the Angul people placed before the Government so that the matter might be pressed in the Joint Parliamentary Committee. It says:

"Apart from the administrative drawbacks, there is prevalent in the district the pernicious system of supply of *rasad* (provisions) and *Bethi* (forced labour) to the local officers in the district, just as are in force in the neighbouring Orissa States. Under this cruel system, the *Sarbarakars* (village headmen) and the tenants are bound to supply *rasad* of every description—from rice, *dal*, vegetables, ghee, milk, fish, fowl and eggs, down to fuel, charcoal and even straw—either free or at an abnormally low rate fixed by the local officials, and this occurs at such frequent intervals that the people are taxed unreasonably and unseasonably."

Many of my friends perhaps know that even this low rate is oftener than not drawn from the treasury to find its way to the pockets of the officer himself or his menials. Again:

"At the time of Kheda for elephants (catching flock of wild elephants for taming which has been recently abolished owing to uneconomic sale of Government elephants), forced labour"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Pandit Nilakantha Das:

" forced labour used to be exacted even at a stretch for one month, while this invariably used to synchronise with the harvest season. *Bethi* (forced labour) is exacted from the tenants in the shape of carrying the luggage of, and rendering other menial and domestic services to the local officers and to any Government servants touring the district, even to constables transferred from one station to another, and also supplying labour for *shikar* (hunting) or beats (for *shikar*) for which they are seldom paid—and invariably the beaters provide their own food—be it for ordinary *shikar* or elephant *Kheda*. Under the *bethi* and *rasud* rules, any tenant can be demanded to provide any commodities or under any service at any time to the detriment of his fundamental rights of person and property. It may be particularly noted that these are exacted with the help of notices and *pairanas* issued from time to time from the different courts and offices of the district."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must conclude; his time is up.

Pandit Nilakantha Das: I shall only read some official orders to show how these things are actually done:

"BY THE ORDER OF THE DEPUTY COMMISSIONER, ANGUL.

Here is the seal of the Court.

Sd.....

Dy. Commissioner.

7-4-30.

To

The President, Mouza.....

Perganna.....

Whereas Sree Huzur Bahadur (Deputy Commissioner) will arrive at Puranagarh on the 7th of April 1930 and whereas he will require coolies in order to beat round the Langalmunda hill, you are hereby ordered that you are to present 70 coolies from amongst the different mouzas of your Circle on the evening of the 8th of April 1930 at the Circuit House at Puranagarh and to take note that you do not neglect this. Dated 7-4-30.

BY THE ORDER OF THE SUB-DIVISIONAL OFFICER, ANGUL.

Here is the seal of the Court.

Sd.....

S. D. O.

23-7-30.

To

The Sarbarakar, Mouza.....

Perganna.....

Whereas the Sree Huzur (S.D.O.) does require bullocks with ploughs, you are hereby ordered that you are to supply at his Kothi 6 pairs of bullocks with ploughs on the early morning of tomorrow, the 24th instant. Take note that this is very urgent. Dated 23-7-30.

To

The Sarbarakar, Mouza.....

Perganna.....

Here is the seal of the Angul Police station.

February 10, 1931.

Angul District.

Whereas carts are required for conveying cow-dung manure to the compound of the Police Sahab Bahadur (S.P.), you are to send two carts with baskets with the accompanying constable tomorrow. Treat this as very urgent. Dated 10-2-31.

Sd.....

Angul Sadar Thana.

BY THE ORDER OF THE DEPUTY COMMISSIONER, ANGUL.

Here is the seal of the Court.

Sd.....

For Deputy Commissioner.

22-2-31.

To

The Sarbarakar, Mouza.....

Perganna.....

Whereas there is necessity for straw for tents to be pitched at the Sree Huzur's Kothi (Deputy Commissioner's Bungalow), you are hereby ordered that you are to supply 4 Gootia (carts) loads of straw at the Nazir Khana in the early morning of tomorrow, the 23rd February, 1931 at 6 A.M. sharp. Take note that you do not neglect this.

Dated 22-2-31.

[N. B.—The straw is supplied free].

VERY URGENT.

To

(Here is the seal of the Court).

The Sarbarakar, Mouza.....

The vegetables that you sent for the Sahab (D.C.) were not sufficient. He is having many guests and a good many people are coming. So send immediately one *bhar* (load) of brinjals. 2 pumpkins and one full bunch of plantains tomorrow.

Dated 4-2-27.

By Order

Sd.....

Nazir.

[Pandit Nilakantha Das.]

By THE ORDER OF THE DEPUTY COMMISSIONER, ANGUL.

Seal of the Court of S.D.O

Sd
For D.C.

To

The President & Sarbarakar of Mouza

Perganna.....

Whereas the Political Agent & Commissioner will arrive at Angul on the 18th instant and stay till 20th. You are hereby ordered that you are to send every day from 18th to 20th big fish from your village tank to the Nazir Khana. Note this as urgent.

Dated 14-3-29.

By THE ORDER OF THE DEPUTY COMMISSIONER, ANGUL.

Seal of the Court.

Sd.....

To

The Sarbarakar, Mouza

Perganna.....

Whereas it appears that inspite of repeated Parwanas to you to supply paddy and straw for the feed of Government elephants, you have not as yet supplied the same, you are hereby warned and ordered that within 24 hours of the receipt of this Parwana you are to supply paddy and straw as per list below and have its price. In case you neglect, you are to be punished on a charge of disobedience of orders.

Dated 17-3-22.

By THE ORDER OF THE SUB-DIVISIONAL OFFICER, ANGUL.

Seal of the Court.

Sd.....

To

The Sarbarakar, Mouza.....

Perganna.....

Whereas the Registrar (Co-operative Department) has arrived at Angul, you are hereby informed that immediately on receipt of this Parwana, you are to supply 3 Rohits, Bhakurs or some other big fish from your village tank and present the same without delay at the Nazir Khana. You are warned that you are to treat this as very urgent.

Dated 25-5-25.

To

The Sarbarakar.....

You are hereby informed that you are to supply one Bharia (cooty with carrier) to the accompanying Constable who is on transfer to Bantola.

Seal of the Angul P. S.

Sd.....

Please mark the dates of notice for execution. Sometimes distance to be covered is even 40 miles.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. The Chair cannot allow him any more time.

Pandit Nilakantha Das: One thing more, this new association of the people for this memorandum was the only one of its kind and it was stopped by order, and since then no meeting in the area has been possible. And here are orders

Mr. President (The Honourable Sir Abdur Rahim): The Chair asks the Honourable Member to sit down.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I approach this subject not as an anthropologist or as one who is full of that savage instinct of domination described by the last speaker. My qualification to speak on this debate is the fact that I have lived in the very closest terms with many of these backward tribes for many years of my official life. Indeed, I suppose I can lay claim to having entered certain backward tracts where man had not entered before, and, as such, Sir, I feel I can, with a certain amount of authority, enter into this debate. May I, as a preliminary remark, state that when I was a member of the Round Table Conferences and the Joint Parliamentary Committee, I always opposed this recommendation on the part of the Government of India Bill? I considered that to exclude large tracts of India from the operation, even in part, of the Government of India Act, was not a wise move; and when I include, in my remarks the inexplicable exclusion of Darjeeling, the seat of the Local Government, which has been made a partially Excluded Area,—I do not think I require further support for my contention and I do not think there should be any opposition to this measure. (Applause.)

It is not necessary to deal with this question with the details stressed by the last speaker. There are one or two main facts on which it should be decided. Hitherto, there is no doubt that the people in these backward tracts have looked upon the Deputy Commissioner as a God, as a *Mai-Bap* and he certainly, in many cases, has been their adviser, but that is the history of many years ago. Whereas the rest of India is progressing, the Government of India Act wishes that these backward areas should remain static, that they will remain entirely dependent on the Deputy Commissioner and must not be given a voice in the administration of their province. Let us take the province of Assam. I speak subject to correction when I say I believe that there are more inhabitants in the totally or partially excluded tracts than there are in Assam proper itself. I say I speak subject to correction, but if I am correct in this, it does seem to me to be an extraordinary policy to exclude from the franchise, and to deny to such a large number of people, even a whisper in the administration of their province. It is idle for any Member to say that the condition of these backward areas today is the same as it was 20 or 30 years ago. I know from personal experience, having professionally visited these places, that many of these people are rapidly

[Lieut.-Colonel Sir Henry Gidney.]

attaining a state of civilisation with some knowledge as to how they can administer themselves, and certainly they have vastly improved compared to what they were when I was stationed in Assam in 1914. Take, for instance, the Naga Hills where I spent a few years of my service. I know that, today, the condition of the Naga Hills has vastly improved to what it was when I was there in 1912. Missionaries have settled there for decades, schools have been established, the Naga Hill language has been put into grammatical form—our friend, Dr. Hutton, here will testify to this as there is no greater living authority on Naga Hills than him—and many things have been done in these backward areas which show that, today, they are capable of exercising their votes or at least some voice, however partial it be, in the administration of their province. When we discussed this subject in the Joint Parliamentary Committee in London, I made a point of stressing before that Committee, that, in the event of any backward area not finding a sufficient number of men to represent it, there were certainly many who lived and died in those tracts, such as the missionaries and other educated people who lived and died in the service of the backward tracts who could safely be entrusted with the votes and voices of the people. But let us examine the Resolution: It is worded in such a way, Sir, that I feel I cannot go the whole extent, as it demands, *i.e.*, to extend the “same level of administration” to these backward areas. I have no hesitation in admitting that most of these backward tracts are not in a fit state to receive the same level of administration, but I feel I must admit that they are fit to receive some amount of administration and should not be excluded from a voice in the development of their areas. I ask, is it the policy of the Government of India to keep these tracts for ever backward, or is its policy to help them to progress and advance forward in the political world? I submit by adopting such an attitude, as the Government of India suggests, you are certainly retarding the progress and civilization, indeed you are closing the doors to these backward areas, and placing them in the state in which they were before, instead of allowing them an opportunity to advance. If this House is going to allow these backward areas to be excluded and refused any participation in this great administrative experiment that India is to be subjected to, I say, we are not doing the right thing at all. There may be financial difficulties but surely the whole of this new Government of India Act is enveloped with financial difficulties and obstacles, otherwise we would not have had the necessity to bring out a financial expert—Sir Otto Niemayer, who is called upon to decide how each province stands in the operation of the Government of India Act, and on whose opinion depends the grant of Provincial autonomy. But to bring in finance as a *raison d’être* to deny backward tracts the franchise and the benefits of the new Government of India Act is a very weak peg on which to hang one’s argument. The point is this: is this House, claiming as it does to be representative of the Indian people, going to accept this Resolution, even if modified in some such way as I have suggested. Or is it going, for ever, to close the door of advancement and progress to the very areas which it is our duty to protect and advance and not keep back? This is the important and all absorbing question this House has to decide today, and I for one whole-heartedly support the Resolution in so far as it affords these areas some form of Government, some voice in its administration. With these words, I resume my seat and support this Resolution.

Mr Suryya Kumar Som (Dacca Division: Non-Muhammadian Rural): Sir, I rise to support this Resolution. I will not go into the general principle that has been urged against this Resolution, but I will, first of all, ask, as a point of information from the Leader of the House, what is meant by keeping the Parganas of Sherpur and Susang as Partially Excluded Areas. Does it mean that only the tracts inhabited mainly by the Garos, Hajangs and Koches will be excluded, or does it mean that the whole Pargana will be treated as a Partially Excluded Area, that is, if some of the Regulations that will apply to the Totally Excluded Areas will be applied only to these Parganas, and not to the whole? Does it mean that only particular areas will be excluded or the entire area of the Parganas will be excluded? I want information on that point.

The Honourable Sir Nripendra Sircar: I do not mind telling my friend that if I get five minutes for a final reply, I will make this point perfectly clear, but I can give him an idea of what is happening. I thought in my opening speech I said that an amendment was moved in the House of Commons which related to this exclusion of areas from Mymensingh, and the idea now is that instead of having these two Parganas, Sherpur and Susang, it will now be very much restricted to the area which is described by the names of the six police stations. I shall give that in my reply later. I wish just now to give him that information: the main idea is to restrict the area to the narrow strip to the north, which is inhabited principally by the Garos.

Mr. Suryya Kumar Som: That point is now clear. Then, in regard to the partial exclusion of these two Parganas, I find that the reason put forward in support is that in these Parganas a large number of Garos, Hajangs and Koches used to live. That was the ground. We find from the census that the population for the whole district is 41 lakhs, of whom only 34,000 are Garos in these two Parganas, and the Hajangs and Koches come to another 60,000, making a total, in all, of about 94,000 in the whole district out of a total population of 41 lakhs. That comes to about 1/25th for these aboriginal tribes to the total population, or not even that. So, if we consider from the point of view of the total population, these tribes form an infinitesimal portion of the total population as compared with the others. So, that test does not apply. I have been living in the district for the last 35 years, practising as a pleader. Oftentimes I meet these Garos, Hajangs and Koches as my clients. As my friend, Sir Henry Gidney, has also observed, these people are not as original as their names indicate. I have found that these Garos and Hajangs are very very intelligent. So far as the cultivators in these two districts are concerned, I am not certain whether these Garos and Hajangs are not more intelligent than the Hindu and Muhammadian cultivators there. Their customs and habits are just like those of the other cultivators—they are not inferior in culture, and in habits, to the others. On the other hand, some of the Garos who have come under the influence of the Christian missionaries seem to be as advanced as the middle class people of the Mymensingh district. So, from the point of view of culture, education and intelligence, I do not think it is proper to give them a different kind of administration from that which the people in other districts will get, and I do not see any reason for doing so.

[Mr. Suryya Kumar Som.]

Lastly, I will refer to the opinion of the Bengal Government. We find from this book that the Bengal Government also opposed Major Cadogan's amendment. The Government of India's despatch says:

"Mr. Cadogan's amendment of the 10th May, 1935, recommended the partial exclusion of the Sherpur and Susang Parganas of the Mymensingh district. In reply to our earlier reference, the Government of Bengal opposed this recommendation. They assumed the proposal to have been made because of the presence of Garos in these Parganas. On the other hand, they took the point that the total Garo population in the Mymensingh district is only 34,300 approximately out of a total population of 4,130,000. They stated that hitherto no special measures have been deemed necessary to protect Garos in Bengal and added that the Local Government had at no time received any indication that the existing administrative system has worked inequitably for the Garos."

That is the opinion of the Bengal Government and these Garos have been under the British administration, administered under the same laws as are prevailing in the district, and there was no complaint against it and the executive and administrative authorities did not find any difficulty or any necessity to introduce separate sets of laws for these people. But, Sir, I do not understand why the Sherpur and Susang Parganas have been thought of for inclusion in the Partially Excluded Areas, nor do I know the motives which prompted this gentleman who proposed this amendment in England. During the two or three Round Table Conferences and during the Parliamentary debates, we never heard of this exclusion, inclusion or partial exclusion of any districts in India. However, at the last moment, these proposals have come up, and whether there are any political reasons behind all these proposals I do not know. But one thing I can understand, and that is, that this is a sort of sop to irresponsible executive who use their powers in a most irresponsible way, because perhaps they want to keep some of these portions for them, that is to say, some of the civilians may not like to be brought under the present administration, and Government want to provide them in those areas, so that they can carry on their irresponsible activities unchecked by any one. That is the only reason I can surmise for this proposal; otherwise, so far as these two Parganas are concerned, I am rather surprised that these two Parganas, Sherpur and Susang, which are two of the most advanced Parganas in the Mymensingh district, should be thought of for inclusion in the Excluded Areas. Sir, the Zamindars of Sherpur and Susang are the most enlightened, advanced and educated people among the Zamindars in the district. It is really a pity that these people should be considered fit to be included in the Excluded Areas. With these observations, I support this Resolution, and oppose the proposal of Government to include these two Parganas in the Excluded Areas, and particularly to create any Excluded Areas or Partially Excluded Areas.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris: Muham-madan): Sir, in rising to support the motion before the House, I am breaking my long silence, and I crave the indulgence of the House for calling its attention to the sad case of an area which is proposed to be excluded, and which falls, in a general manner of speaking, within my constituency. In doing so, I am not in the enviable position of my friend, Mr. Gadgil, who, for a wonder, can quote the Provincial Government and the District Collector in his favour. Mine, Sir, is the usual position which is the lot

[Mr. H. A. Sathar H. Essak Sait.]

in this country of non-officials whose task invariably is to convince the Government against the opinion of their officials. Sir, the very first item in the Schedule for Excluded Areas is the Laccadive Islands (including Minicoy) and the Amindive Islands. Further, this is the only tract which is to be declared an excluded area in the Madras Presidency.

These are a group of Islands lying off the Malabar coast, the most important of them being Androth, Karvathi, etc. The inhabitants who number about 16,000 are wholly Moplahs. It is true that they are in a backward condition, but their backwardness is in the matter of education only and is wholly due to the neglect by Government which has done pretty little for their cultural and educational upliftment. They are a hardy race, and the fact that they carry on an extensive trade with Malabar coast shows that they are not as primitive as they are described to be. Their "odams" or seafaring vessels carry on an extensive trade with Calicut and Mangalore, bringing cocoanut and other island products and taking back manufactured goods.

They are, Sir, a very intelligent people, and some little attention from the Government towards their education and general well-being will certainly bring them up to the level of their brethren on the coast. But let me assure the House through you, Sir, that the political condition under which they are labouring is solely responsible for their present "backward condition". These islands at present form an excluded area in that the system of Government obtaining there is peculiar. They originally belonged to the only Muhammadan Rajah in Malabar, the Sultan Ali Rajah of Arackal, from whom the Madras Government obtained them in 1909. They are at present administered under the Scheduled Districts Act of 1874 and the Regulation No. I of 1912.

I do not wish to tire the House by going into the details of the system of administration, but, suffice it to say, the Collector of Malabar is the supreme authority in all matters including the administration of justice. How far his authority goes was made clear when he tried about two months ago a murder case, which, according to some people, was the first murder case in the history of the islands. The House will be surprised and shocked to hear that under the terms of the Regulation, no advocates were allowed to appear on either side, and the parties and witnesses, who speak only Malayalam, were heard and examined by the Collector, who is an Englishman, with the help of a Malayalee clerk in his office. There is no shadow of doubt that the Collector, handicapped as he was under the Regulations, tried his utmost to get at the truth. I cannot say anything beyond this, because, I understand that this case, in another form, is at present pending before an appeal Court. I cannot refrain from calling the attention of the House to the dangers lurking under such a system of administration. I do not think, therefore, that this Honourable House will find it possible to agree with the Collector when he says:

"The Regulation of 1912 is adequate for its purpose and the islands should continue to be so administered after the new Constitution is introduced."

I say God forbid it. This remark of the Collector shows that the condition of these islands people has not improved within the last quarter of a century during which these Regulations were in force, and that in itself is sufficient condemnation of the system of Government obtaining there. I, therefore, request that the administration of these unfortunate

[Mr. H. A. Sathar H. Essak Sait.]

islands may now be placed within the purview of the Reforms and that these islands be governed in the usual normal way with particular care for the education of the people and their moral and material upliftment.

Knowing from the fate of these islands what the administration of Excluded Areas will be, I strongly support the Resolution which has been so ably moved by my friend, Mr. Ram Narayan Singh.

Babu Kailash Behari Lal (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadian): Sir, as one representing one of the so-called Excluded Areas, I feel I should support this Resolution. Although I am not a Sonthal, yet I fulfil one of the conditions imposed by the Government as I am an elected representative from the Sonthal Parganas, and, therefore, I feel I should give expression to what the Sonthals themselves feel. Government may be aware of the fact that in the last week of January, there was a conference of the people of Sonthal Parganas in which a large number of Sonthals and Paharias took part and passed a Resolution protesting against their inclusion in "Partially Excluded Areas". I attended that Conference and saw personally their enthusiasm and their desire not to be excluded as political outcasts from the rest of the country. However, Sir, I may tell the Government that I am only a message carrier from the assemblage of the people of Sonthal Parganas to this Assembly, and I claim that I have a better and greater right to speak on behalf of the people of Sonthal Parganas than any person or body of philanthropists who have taken upon themselves the task of protecting the undefended. If, even in spite of the tests I satisfy about my right to speak on behalf of the people of Sonthal Parganas, there is any genuine doubt in the mind of Government, I would suggest to them to call upon the Sonthals and other tribal people in those Parganas to send representatives from amongst themselves to express their desire, and I feel confident they will corroborate me. I know, Sir, that I am speaking to persons who have got to perform a self-imposed task with diverse motives. Although I am not in a position to say about the other parts of the country which are going to be Excluded or Partially Excluded Area, I can say with definiteness about the Sonthal Parganas that there is much more anxiety on the part of the protector to protect themselves than to protect the so-called Sonthals.

The real fact is that, out of a population of 20 lakhs and odd, the Sonthals are eight lakhs and odd, and the remaining 12 lakhs are Hindus and Mussalmans. These eight lakhs of Sonthals are mostly inhabiting the Daminkoh area. They are a simple folk, and, by their nature, they are freedom-loving. Their needs are few and they have their own standard of civilisation which requires no protection.

And, after all, what protection has been given to them? Have Government done anything to ameliorate their condition? Have Government provided extra facility for the education of the Sonthals and Paharias? Have Government done anything for their social uplift? From the Census Report, we get that the number of the people migrated from Sonthal Parganas, as coolies, are as follows:

in 1901, 34,885,

in 1911, 59,004,

in 1921, 84,138.

The Government have not even to provide police for their protection. They have **their own police system**. The organisation of their society is on the lines of village communities resembling more or less the Russian Soviet. What is pitiable is that they delight in the darkness of ignorance. And do the Government care to advance the cause of education amongst them? There is no attempt whatsoever to bring the so-called Sonthals and Paharias to the standard of life led by the rest of the so-called civilised people; rather there is a retrogressive step to keep down the so-called civilised or non-tribal people to the standard of the Sonthal in the name of protection to the Sonthals and Paharias. I ask you, Sir, is it fair and just that the 12 lakhs of non-Sonthals should be deprived of the facilities of rudiments of civilised government only to satisfy the protector of the backward people in having the pleasure of keep 8 lakhs of Sonthals and Paharias in a state of barbarity?

Perhaps you may be led away by the idea that the so-called Sonthal Parganas by its very name, must be the original abode of Sonthals, and hence the now emigrants, the non-Sonthals, must abide by the convenience or inconvenience they may meet with in the home of the Sonthals. *It is not so.* The so-called Sonthal Parganas is not the original home of the Sonthals, nor are the non-Sonthals emigrants there. Rather the Sonthals migrated to these Parganas at the end of the 18th century and the beginning of the 19th century, and the so-called Sonthal Parganas was not only inhabited by non-Sonthals, but it played a very important part in the past. The very fact that it contains some important places of pilgrimage of the Hindus like Baidyanath Dham and Harajori in Deoghar sub-division, Basuki Nath in Dumka, Singheswar Nath in Godda, and Garjeshwar Nath in Rajmahal, is a proof that these parts of the country must be once important centres of Hindu culture and civilisation. Even now, the majority of the people are non-Sonthals and they may justly claim to bring the tribal people to the standard of life they are entitled to lead, and not that they should be dragged along with the Sonthals to live a savage life as desired by the people in authority.

Sir, there have been many debates in the local Council of Bihar and Orissa on the subject of status of Sonthal Parganas, and arguments for and against are legion in number for lifting its position, but the fact remains that the popular will is in conflict with the will that predominates and the people must suffer. Instances of whims of the official are too many, a sample of which has already been quoted by the Honourable the Mover of the Resolution regarding the criminal trial in which a son was punished for the offence of his father. It is on account of such whimsical administration of the officials that the people, conscious of their rights, feel the pinch of arbitrary administration.

Sir, before I conclude, I must inform the Government that the behest of the Government to protect the so-called backward people by having exclusive and arbitrary powers in the so-called Partially Excluded Area of Sonthal Parganas is regarded by the people as also an act of partiality for the Christian missionaries who, it seems, have been given a sort of *bandobast* to carry on the work of conversion amongst the Sonthals and other tribal people, whereas any act of non-Christian missionaries is attempted to be suppressed by the authorities. Circulars were issued by the Government against the peaceful Hindu missionaries in Chota Nagpur which is also a so-called Partially Excluded Area. The reasons and motives for keeping the so-called Excluded and Partially Excluded Areas

[Babu Kailosh Behari Lal.]

under a rigorous system of administration are various, but if only one general rule of golden hypocrisy, the theory of trusteeship, can be sufficient to hold the rest of India, why apply different standards? Let there be one uniform system of administration under the same right of trusteeship. With these words, I support the Resolution.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Dr. J. H. Hutton (Assam: Nominated Official): Mr. President, the first point which I would like to put before the House is a formal one arising from the wording of the Resolution which recommends to the Governor General in Council to extend the same level of administration to the people of the Excluded Areas, Partially Excluded Areas and Chief Commissioners' Provinces from the 1st of January. That, I take it, can only mean one thing—that those three areas are to be administered alike. The words have no reference to anything except the three areas mentioned and it does not say whether it wants them to be partially excluded, or totally excluded or all treated like Chief Commissioners' provinces. I take it that that alone vitiates the Resolution.

I take it that what the Honourable Member who moved this Resolution desires is that no areas should be totally or partially excluded, and that is a proposition which the Government of Assam, which I have the honour to represent here, cannot possibly accept. I should like, at this stage, to repudiate the suggestion that we base our claim for Excluded Areas or Partially Excluded Areas on a lack of education. The Khasi Hills, which is a Partially Excluded Area under the Draft Order, has supplied a Minister to the Local Government and it has supplied a Professor of Philosophy in the University of Calcutta. There is no question but that the Government has every opportunity of knowing what these people want. Again in the Lushai Hills, if reference be made to the Census of 1931, it will be found that the Lushai tribe approaches the standard of Brahmins, taking the whole of India, in literacy and that of the Nayers in literacy in English, and that is no mean standard. There are other parts of the Assam areas which are not so fortunate, but that is due to circumstances which are unrepeatable anywhere on the face of the earth and to which I will refer later. I have followed the newspapers and tried hard to find why Honourable Members of this House are so anxious for a scheme of uniformity in administration. I had always thought that the desire for uniformity was a peculiar vice of the English people and I was totally unprepared for its advocacy in this House. Apparently the fact that Mr. Churchill supported it has caused a good deal of feeling. Now, if Mr. Churchill has for his own purposes supported this scheme, it ought to be put down to our misfortune and not our sin; *non tali auxilio*. The Order in Council, I would point out, is a "Closed Order". It cannot be extended to any area not mentioned in the draft. Further, although no extension in the direction of exclusion is possible, every provision is made for including, in the fulness of time, Excluded

Areas and Partially Excluded Areas in the fully administered areas, a point which I think my friend, Sir Henry Gidney, did not appreciate.

The reason on which the Assam Government advocated exclusion depends very largely on the extremely different conditions to be found in the fringes of the Hill and Frontier Tracts, as compared with the adjoining population in the plains, both in their languages, their customs, their interests and their administrative necessities, and there is every danger of a clash of interest arising between the people in the hills and the people in the plains. The Minister who deals with them, and who depends on a majority in the House, must be guided by that majority, and this would cause serious danger to the minority in the hills, which, on a population basis, is very much smaller than that in the plains, and the minority will in consequence suffer without any remedy. Such a clash is likely in connection with land revenue, forests and fisheries, to mention only three which occur to me straight off and the representation of an insignificant minority, as the hills will be under those circumstances, is not, I submit, any protection.

Then, I take it that it is axiomatic that under a representative government, all parts of the country should have easy access to one another, and should be readily in touch with their representatives in the representative body. That is a condition which cannot be fulfilled in the case of some of these areas. The Laccadive Islands including Minicoy are scattered at a distance of from 125 to 250 miles from the nearest point on the west coast of India. There are no regular steamer services or communications. The people have their own administration, a representative council of their own, a Darbar presided over by an *Amin* with powers which have been generally found adequate to administer the islands. The powers consist of being able to impose the terrific punishment of a fine of Rs. 15 or 15 days' detention, as I understand that there is no prison at all. The nearest Collector is able to visit the islands only once in two years and even then he cannot go to all of them. I would remind the House that even in the British Isles, where communications are considerably developed, from the point of view of the representative House at Westminster the Channel Islands and the Isle of Man are totally excluded areas. They do not send any representative and they have their own administration; and the only time that Great Britain attempted to force her administration on an adjacent island, it succeeded for a time with disastrous results to many of my fellow countrymen and to the ultimate satisfaction of nobody at all. Another point, that came to my notice when conducting the census of 1931, was that in order to get a return of the population of Lahaul and Spiti at the end of March, it was necessary to take the census in September, because the passes might be closed by snow, to say nothing of the difficulty of interior communications, so that nobody could carry out any census operations in winter. In six months' time a Government might fall and go to the country, and another Government might come into power, without the people of Lahaul and Spiti knowing anything whatever about it. Is it reasonable, in such circumstances, to bring them into a system of representative Government along with India? The same thing applies in a lesser degree to the frontier districts of Assam, where there are no communications, where people are cut off by torrents and precipitous hills and it would take months instead of weeks to carry out an election campaign.

[Dr. J. H. Hutton.]

Besides this difficulty in Assam we have the linguistic question. In the Partially Excluded Areas, it is true we have only four different languages approximately, although there are differences of dialect—and they are totally different from the language of the plains; but in the areas, which it is proposed by the Order in Council to exclude totally, we have over 30 different languages, and in the Naga Hills alone there are 16 different languages, and to give them thirty representatives would greatly out-balance their population value in the local Council. These languages—I do not mean dialects; there are differences of dialects apart from languages—are as different from each other as Bengali from Mahratti and Mahratti from Tamil, and there are cases in which in the same village different languages are spoken on opposite sides of the street. Now, in conditions of this sort, the people are not yet ready to elect a representative to any House that can be devised. That will come in time. We have been hard at work trying to improve things for many years now, and it is unfair to accuse the Assam Government of being slack in the matter. But the difficulties are such that I do not think any Honourable Member of this House who has not lived in those districts and worked in those districts can possibly understand them. Then again the local customs are absolutely different from the customs in the plains. I do not think that Members of this House would feel much sympathy with the fraternal polyandry which is the custom in Spiti, although it is found very suitable in that environment (Laughter), and the people are attached to it. Similarly, in the Garo hills a man is compelled by local custom—not by law of course—to marry his mother-in-law—and this system works very well, that is, when the father-in-law dies, a man marries his mother-in-law. In the conditions and environment that prevail there the system is excellent (Laughter) and has been long in practice, and it works out all right. Now I suggest that if you have customs like that, which are likely to shock the local Council, there is a real danger that someone may try, against the wishes of the inhabitants, to introduce legislation which they do not like; and such danger is, I contend, proved by the fact, for instance, that there is now a Gond Succession Bill before the Central Provinces Council. Now, there is every reason to think that the Gonds as a whole, the bulk of them, are against it, and I cannot help suspecting that that measure is merely devised in order that in the next Census all the Gonds, whether they profess a tribal religion or Hinduism, may be returned to swell the Hindu majority. Again, many Members have talked about the arbitrary nature of the Deputy Commissioner's powers in these excluded areas. As far as Assam goes, I can say that it is because they are unaware of the conditions. The Deputy Commissioner of the Naga Hills at any rate, if he tried to advocate measures or introduce an administration that was really unpopular, would be running a great risk of causing very serious trouble, and it might cost a great deal to Government, and for that reason Government are very careful that these districts are administered in accordance with the wishes of the inhabitants. The Deputy Commissioner is really more an arbitrator than a judge, and in the cases that come before him tries them according to local custom, acting in criminal cases as a transformer to step down the somewhat barbarous voltage of their criminal punishments into the more civilized voltage of the Indian Penal Code. These districts do their own policing,—and that is an important point; because, as long as they do

their own policing, they are not troubled with a foreign police who may give them all sorts of trouble,—as possibly some Honourable Members opposite have experienced (Laughter). The danger of a rebellion is a very serious danger from certain points of view because it is so expensive. As late as 1918 the Kuki Operations were caused by a misunderstanding between the Kuki tribe and the administration of a local State and the trouble spread over the borders of that State to the Naga Hills and the North Cachar Hills on each side. No actual rebellion took place in the Naga Hills, but the people were in sympathy with the rebels and in the North Cachar, they in some cases joined them: and to restore order, Sir, in those areas, without communications, cost us, up to the time I went on leave, some twenty lakhs of rupees from the Assam side; I do not know how much it cost from the Burma side, but it was an exceedingly expensive business. Now that danger has not completely passed away. There are feuds going on between the different tribes themselves in these districts rather than between them and the British Government. It is only a few years ago that one Jadunang got into touch with the anarchists in the plains of Cachar, misunderstood their message, and then went back and started a new religion in which he set up a new god and inaugurated the performance by the sacrifice of half a dozen unfortunate Manipuris; that movement was fortunately nipped in the bud, but only five months ago the rumour went round in the Kachha Naga tribe bordering on that State and on the North Cachar Hills that Jadunang had recently risen from the dead, that he had succeeded to the throne of king Gandhi (Laughter) and that he was coming back with fifty thousand men to expel the foreigner (that is to say, Indians and Britishers) and to extirpate the whole Kuki tribe. Sir, it will take a long time to bring about a state of things in which rumours like that could not get about, owing to the difficulty of communications between village and village and the absence of any newspapers, telegraphs and the other paraphernalia of civilization.

That brings me to the economic point of view, the cost of introducing civil and criminal Courts, of introducing the land revenue Act, of establishing police *thanas* everywhere and above all of constructing communications in country in which they are peculiarly difficult to construct. Sir, the cost of providing all these things cheaply is going to be prohibitive, and, as my Honourable friend from Assam pointed out, Assam cannot afford this expense. But it would also involve some other changes: if you are going to turn those areas into regular units of administration and to get them to send members to a representative body, you will have to have a hard and fast frontier line. That is going to mean a reversion to the system of block houses which was used and found wanting before the hills were taken over, or rather part of the hills. I would point out that the occupation of the hills was not a thing which was undertaken for the benefit of the hills or for any increase of revenue; it was done as an insurance policy to protect the plains from raids. Now it is essential that this insurance policy should be cheap and efficient: and if you are going to convert your hilly districts (as long as there is an unadministered frontier) into administered areas, you must have unadministered areas beyond that, your hard and fast line, with defences, and this is all very expensive; and in any case there would be no return at all in revenue for all this additional administration.

[Dr. J. H. Hutton.]

But what I think is the strongest point against the acceptance of the Honourable the Mover's plea is that, as far as the hill people of Assam at any rate are concerned, they themselves do not want it. I do not think Honourable Members realize the tenacity and affection with which the Mongolian peoples on the fringes of India cling to their habits and customs. They are Mongolians, and although they are in India geographically, they are not of her, but they are attached to their own institutions and to their own ideas and their own individuality. They do not love Europeans. They may dislike them, but they dislike Indians just as much because to them we are both foreigners, and we have to bear that in mind. When in the Nicobar Islands there was a vague rumour in 1931 that they were coming under Indian administration, they sent up a petition to the Crown—it went at any rate as far as the Chief Commissioner—asking that they should be made a separate unit of administration directly under the Crown or, failing that, amalgamated with Burma because they did not wish to be amalgamated with India; and the same feeling is to be found in the Mongolian districts on the fringes of the Himalayas. Sir, the Khasis, as I have said, possess an ex-Minister, they have many educated men among themselves and they live in immediate contact with the headquarters of Government. No Assam Government can possibly be unaware of what they feel and think, and I certainly know that well. There was a strong party for total exclusion from the reforms. There was another party which was equally vocal, more vocal probably, for partial exclusion. No Khasi in the Khasi hills wants total inclusion at all, and that is a feeling which I think Honourable Members ought to respect. From the Naga's point of view also, it is inadvisable to include them. I have lived among these people for over twenty years and I can tell the House their point of view. These Nagas come down to the plains every year and their general complaint is that they are swindled very often. They say, "we are treated like mud, we are not allowed to get into railway carriages and we are abused as '*sala Noga—Kukur-ichowa jat*' and things of that sort. In former days we used to come down and raid them and we do not wish to be thrown to the tender mercies of their administration now". They attach great importance to their local traditions and their tribal organisations and they do not want the introduction of any foreign element which will endanger their local customs any more than they are endangered at present. They say:

"We do not want to lose our democratic village institutions. We do not want our Chiefs to become landlords and probably ultimately oppress us; nor do we want them to be reduced to mere nonentities because there is no place for them in the regular administration. We do value our right to clear ourselves of accusations and to establish a claim for relief by our oath on compurgators of our own clan, instead of being reduced to the tedious, uncertain and expensive methods of law courts. Above all we do not wish to come anywhere within the purview of the Land Revenue Act, under which our terraced fields which we have revetted with stone and improved for centuries by our own toil and by the toil of our ancestors might be sold because of a temporary want of cash to pay land revenue"

This, I think, fairly represents the Naga point of view. Time will bring its own changes, and the arrangement first of total exclusion and then of partial exclusion will bring them into line with the rest of the population in time, but it is not fair for them that they should be hurried. They have hurried things too much among the primitive population in many parts of the world and this hurrying has adversely affected them.

I would urge that since there may be two opinions on this point, it would be safer to exclude first, and then, if it is found necessary, partially to include rather than to include straightaway against the wishes of those people themselves. Honourable Members opposite want evidence as to whether protection is needed for these people and I would refer the Honourable Members to a number of pages in the report issued with the Draft Order in Council [pp. 124-126, 159, 171-176 and 190] which have made it perfectly clear that they do require protection, and I would ask the Honourable Members to reflect and to pause before they support the Honourable the Mover of the Resolution in his desire to include all these areas. For if they do so, it is to advocate a policy which is probably impracticable and which, if practicable at all, which I doubt, is extremely expensive, and which would amount to a rejection of the right of self-determination and to a denial of justice, in fact a refusal to others of the very principle which the Honourable Members opposite are so anxious to establish for themselves. (Applause.)

Mr. N. M. Joshi: Sir, if there is any section of the Indian population which requires special protection on account of their primitive condition, their lack of education and their poverty, it is the section consisting of the aborigines and the hill tribes of India. Sir, I am under no delusion that when the next Constitution comes into operation, the interests of the down-trodden sections of this country will be sufficiently protected by the Legislatures, dominated at the Centre by the Princes and in the Provinces by all kinds of Capitalists, but, I also do not feel that by handing over these sections of the population to the tender mercies of the autocratic power of the Governor or of the officers of the Indian Civil service, their interests will be safeguarded.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Pandit Govind Ballabh Pant, one of the Panel of Chairmen.]

Mr. Chairman, all these sections of the population were under British rule, under the rule of the Governors and under the administration of the officers of the Indian Civil Service for over 100 years. Did the Governor or the Indian Civil Servants take care of their education during the last 100 years? If they had, then all the reports would not have said that these tracts are more backward in education than the other tracts for which the new Legislatures are intended. The reports made by officers regarding these hill tribes and the aborigines also make it quite clear that while the Governors and the Indian Civil Servants ruled over these people, their lands have passed into the hands of other people. May I then ask, Mr. Chairman, why should we agree to the exclusion, either total or partial, of these areas from the purview of the new Constitution? I am quite prepared to admit that in some cases, the British officer belonging to the Indian Civil Service may protect these people against the doings of the Indian capitalists, but may I ask who is going to protect these poor, illiterate and primitive people against the autocracy of the officers of the Indian Civil Service? If the total or partial exclusion had provided for the protection of these people, both against the Indian capitalists and the usurers and the landlords and also against the autocracy of the officers of the Indian Civil Service and of the Governors, then I would certainly have accepted a scheme of that nature. (Hear, hear.) I feel. Mr.

[Mr. N. M. Joshi.]

that this idea of exclusion, either total or partial, has originated with some interested class of people. (Hear, hear.) In the first place there is the reactionary section of the Indian Civil Service. They are against any kind of political reform in India. They know that some kind of reforms will be given, and so they would like to have some area where they could go and escape all the evils of political reform. (Hear, hear.) Then there are the anthropologists. I admire the learning of these gentlemen, but I condemn their selfishness. These anthropologists want all the primitive classes of people in India to remain uncivilized.

Dr. J. H. Hutton: Not at all.

Mr. N. M. Joshi: The Honourable Member says 'not at all'. But he has written in his report that education is a means of doubtful remedy. I have seen in some of his census reports, and also reports by other officers saying that reform in clothing worn by these people has done some evil. They are against these primitive sections wearing decent and civilized clothes. The object of these anthropologists is to preserve these sections in their primitive conditions so that they could indulge in their intellectual pursuits, not only they, but their heirs and successors.

Dr. J. H. Hutton: No, no.

Mr. N. M. Joshi: But let me tell these anthropologists that they are most wickedly selfish.

Dr. J. H. Hutton: The Honourable Member knows as little of anthropologists as he does of other wild men of Assam.

Mr. N. M. Joshi: Then there are the other various interests. I know why the Dohad and Jhalod and some other portions of the Bombay Presidency have been declared excluded against the wishes of the Bombay Government. They are areas, and in other provinces too a large number of excluded areas are areas, from which the Indian planters draw their labour. They want those portions of the country to remain under the Governors and the British officers. Sir, these are some of the vested interests which are responsible for promoting this idea of exclusion, either total or partial, in the British Parliament. If there is any good scheme for the protection of the aborigines and the hill tribes I am prepared to support it. But, Sir, I cannot support a scheme of this kind. If the British Parliament and the anthropologists and the others who support total or partial exclusion had cared for the interest of these people, in the first place they would have insisted upon proper representation of these classes in the Legislatures. Sir, I submitted a memorandum on the representation of the aborigines and the hill tribes to the Round Table Conference; no notice was taken of that memorandum. I pointed out that out of a total number of 1,500 members of the provincial Councils only 20 members have been given to these aborigines and hill tribes when, on the population basis, they should have got at least 75 members. If the British Parliament had the least interest in these people, why should they have given them only 20 seats when according to their population they deserved 75 seats?

Sir, that is the position in the local Councils. What about the Central Legislature? When small communities, like the community of my Honourable friend, Sir Henry Gidney, have a substantial representation in the Central Legislatures, why should these 20 million people not have even one Member in the Central Legislatures? These people are not exempt from the taxation that may be imposed by the Central Legislatures. Is it not right that they should be represented by some Members there? But who asked special representation for them? The work of asking for the representation of these people in the Central Legislature was left to poor me. Sir, if these people are given proper and special representation I shall support it. I shall again support any scheme by which these people will be protected against the actions of the Indian and other capitalists in the Central or the Provincial Legislatures, by giving special powers to the Governor. But, at the same time, I shall insist that the Legislatures should have special powers to put down the autocracy of the officers of the Indian Civil Service. If there is a veto by the Governor against the actions of the Legislature to protect these people and power for the Legislature to put down the autocracy of the officers, I am prepared to support such a scheme. If the British Parliament lays down in the Government of India Act that there should be restriction on the alienation of land belonging to the aborigines and the hill tribes, I shall support such a proposal. If there is a proposal to lay it down in the Government of India Act that special provision should be made for the education of the aborigines and the hill tribes, I shall support that proposal. If there is a proposal in the Government of India Act that there should be laws against usury laid down in the Government of India Act, I shall support that proposal. If, therefore, a proper scheme for the special protection of these hill tribes is passed by the British Parliament, I would approve of it. But I cannot approve of a scheme which encourages autocracy without giving any protection to these classes of people, either in the matter of education or in the matter of their land or protection against the usurers. I, therefore, hope that this Legislature will not approve of the proposal to exclude either totally or partially unless a proper scheme is evolved for the protection of these helpless classes of people.

Dr. N. B. Khare (Nagpur Division: Non-Muhammadan): Sir, I rise to support this Resolution, moved by my Honourable colleague, on behalf of my constituency, and, if I may say so, on behalf of my province also. The province of the Central Provinces and Berar contains about four million aboriginal tribes consisting mostly of Gonds. Although it is so, it is surprising that no part of this area was included or notified as a backward tract under section 52-A of the present Act, and 'no proposals for any areas in the Central Provinces and Berar were included in the draft Sixth Schedule.' Yet, now comes this *de novo* proposal to exclude or partially exclude some of the areas in my province. Sir, this proposal is based upon a very tendentious letter sent by the Government of India to all the Local Governments, and they say:

"It cannot be assumed that the measures which may have been thought necessary in any given province generally, or in relation to any given area in that province, in order to safeguard the interests of aboriginals or backward tracts against the effects of the comparatively limited powers of provincial self-government by the Act of 1919 will adequately safeguard the interests of aboriginal and backward tribes in face of the much wider powers of provincial self-government to be conferred by the present Bill."

[Dr. N. B. Khare.]

Sir, these sentiments betray a great distrust of the future legislators and the future Ministers. I really cannot understand why the bureaucracy should distrust the future Ministers to whom they propose, according to them, to hand over the greater part of their power. Sir, I should like to refute this argument by quoting what one of their own officers, one Mr. Symington, I.C.S., Backward Class Officer of the Bombay Presidency, says:

"It is easy to point out the backwardness and poverty of the Aboriginal and Hill Tribes, but it is quite another thing to say that their condition is due to the 'existing administration'. Perhaps more could and ought to have been done for them by Government in the days when there was more money to spend; if so, the blame, if any, must attach to Government and cannot be attributed to the introduction of the democratic system under the periodical Reforms. There is no reason to think that the Legislative Council and Ministers have been less sympathetic towards the aboriginals than the old bureaucracy. That being so there seems to be little logic in pressing the proposal to set up Partially Excluded Areas in this Presidency."

Sir, the Government of India accepted generally the recommendations of the Central Provinces Government, namely, that no area of the province should be an Excluded Area, and they further say.

"We find no tract so situated in the Central Provinces that it could benefit by exclusion from the normal administrative life of the province."

And, Sir, the Governor in Council of the Central Provinces and Berar says:

"None of the above areas are in as backward condition as the areas originally shown as Excluded Areas in Part I of the Sixth Schedule to the New Government of India Bill, nor are they so situated that they can be administered separately with convenience. Their history, in fact, is one of joint administration with the rest of the province and not of separation. *Prima facie*, therefore, there is no case for treating them as excluded areas. Moreover, the Governor in Council is strongly of opinion that under the new Constitution the more backward areas will receive much more attention and assistance if they are administered on the advice of elected Ministers than if they are entirely divorced from the more advanced areas by which they are surrounded."

Sir, it is quite well and good that this should be so, but as I have said before, on account of the tendencious letter of the Government of India, perhaps in pursuance of a mandate from the Secretary of State, the Local Government had to do something in the matter to extend the scope of Excluded Areas or to suggest a recommendation for Partially Excluded Areas; and this they did, I must say, more or less with camouflaged arguments. I do not propose to go into the details of the arguments. Suffice it to say that the Gonds who form the bulk of the population of the aboriginal tribes are not so backward as the Government themselves admit. Sir, those Gonds, before the advent of Muhammadans and Mahrattas, had their independent kingdoms and they ruled very well. They have remnants of their rule even now and they are quite able to take care of themselves. Besides, as the Government also suggest, they are now more or less completely de-tribalised and, therefore, there is no case made out even for Partially Excluded Areas. But they had to make some recommendation, and get materials to support Mr. Cadogan's amendment. That is how these things cropped up and came to be reported. Sir,

the Local Government recommended certain areas to be partially excluded areas. These were:

- the Ahiri Zamindari of the Chanda district;
- the Zamindaris of the Garchhrol tehsil of the Chanda district;
- the Chhindwara Jagirdaris;
- the Dindori and Niwas tehsils of the Mandla district;
- the Satghar (comprising seven zamindaris) in the Bilaspur district;
- the Aundhi, Panabaras and Ambagarh Chowki zamindaris of Drug district (These zamindaris were transferred from the Chanda district); and
- the Melghat of the Amraoti district in Bear.

Sir, what do we see? They do not stop short there. The Government of India further extend the scope of these Partially Excluded Areas by including the Mandla tehsil of the Mandla district, and the Bhaishdehi Tehsil of the Betul District, although the Local Government was not in favour of these. Baihar Tehsil of the Balaghat district is also included. The Local Government say in their letter of the 16th November, 1935:

"It will be seen that only officers who have advocated total exclusion for any area are the Deputy Commissioners of Mandla and Betul. Both officers are comparatively young and inexperienced, and their opinions should be discounted."

That is the special recommendation of the Local Government. And the Government of India, in their supreme wisdom, discard the advice of the Local Government or the Governor in Council and rely upon the opinions expressed by these young and inexperienced officers, as my friend here points out, the youth leaguers of the Indian Civil Service. Sir, we find that the evil goes on multiplying, as has actually happened in this case. There are other Deputy Commissioners who have made different recommendations, for instance, the Deputy Commissioner of Chanda, a senior officer. What does he say?

"The aboriginal problem may be viewed from three points of view, namely, legislative, administrative and social. From the strictly constitutional point of view I am of opinion that it is a right decision, so far as this province is concerned, to abolish the distinction between excluded areas and the rest of the province, and to bring the whole province under one form of administration. There is little justification for excluding bits of scattered areas from the new constitution on the ground that these people are unable to realise or appreciate the value of a vote or to have any effective voice in the legislature and administration of the province."

He further on says:

"Even in the strictly aboriginal country, one finds people of other castes who would naturally demand a voice in the new constitution."

Further on, he says:

"I think the manner in which the problem should be tackled by the administration is not the exclusion of these people and the perpetuation of their backwardness and isolation, but their association by slow, progressive, non-violent steps with the rest of the people. The policy should be one of blending and levelling rather than of segregation and maintenance of *status quo*."

Another officer, Sir, of Yeotmal district, from where my friend, Mr. Auey, comes, says:

"On the general question I may observe that the principle underlying the classification of excluded or partially excluded areas is obviously to give protection to primitive

[Dr. N. B. Khare.]

tribes. If this be correct, I do not see why protection should extend to the members of the tribes residing only in particular area or areas. Reserving such areas practically amounts to perpetuating their backwardness. Unless they come in direct touch with the advancing world they are bound to remain where they are, in spite of special protection."

So this officer, certainly, is not in favour of special or dubious protection and, yet, the Government of India, in their supreme wisdom, do not take the advice of such officers because it does not suit them, but rely upon, as my friend said, the youth leaguers of the Civil Service.

We must consider another aspect, namely, how this question will affect the so-called advanced people living in these Partially Excluded Areas. Government admit that we must see that there are no countervailing disadvantages to the remainder of the inhabitants of this area, and yet what is the result so far as my province is concerned? No provision is made against the disadvantages which will result to the so-called advanced people living in these areas; and what about the aborigines themselves? Out of 40 lakhs of aboriginal people, by the whole process of a mountain in labour, they have given so-called protection to only 3,96,000; and for this little they have laboured so much. What about the rest? Will they be left to the "tender mercies" of the other inhabitants? After all what is the nature of the present protection given to the aborigines by the Governor or the special officer who may be appointed by him? These people, I know, suffer from want of liquor at times. they require it for some of their religious functions. Are the Government going to relax the rigours of excise laws for their convenience? They are very poor people—they cultivate land and produce inferior millets, *Kutki* and *Kodo* for their maintenance—they have got nothing else. Are Government going to exempt them from land revenue to protect them? They are living in jungly and malarious tracts all this time: what have Government done so far? Have they given them any medical aid or opened a hospital or a single centre for education? No. Not hitherto. And they are not going to do so hereafter either. On the contrary, blood is thicker than water, especially water which comes from seven thousand miles away. Our people are certainly striving their best to ameliorate the condition of these people and Government can certainly rely upon our efforts. Even in the Andhra province, such work is being done with great vigour, by Mr. Kodanda Ramayya. Government can safely rely and leave them to our mercies rather than to their own mercies.

Mr. Chairman (Pandit Govind Ballabh Pant): The Honourable Member's time is up.

Dr. N. B. Khare: I will obey your orders, Sir, and sit down.

Mr. M. S. Aney: Sir, my Honourable friend, Dr. Khare, has really done much of what I wanted to do. Still, I think there are certain general points which I can very well deal with and make an attempt to demonstrate to the House the utter futility of the attempt which is being made by the Government to protect the interests of the aboriginal tribes residing in tracts which shall be hereafter known as the Excluded or Partially Excluded Areas. My objection is both to the substance of the

scheme as well as to the manner in which this reform or so-called scheme is being brought about. You know that the Government of India had issued a circular to the Provincial Governments on a certain mandate received by them from the India Office, and it was explained to us in this House by the Honourable the Leader of the House, when he intervened in this debate, that it was the express wish, as known to them from the letter of the India Office, that they did not think it worthwhile to consult public opinion in this country and only wanted to receive the opinions of Local Governments and particularly of the district officers. I have read that letter very carefully and I see that the India Office was anxious to get the opinions of the Local Governments and they have also suggested in their letter the importance of a personal examination of this question by the district officers. But I do not find therein anything to justify the inference that they did not want the public of India to express their opinion on a question which was intended to exclude from the jurisdiction of future Ministers and the future popular Legislatures of India considerably large territories and sections of their own countrymen. At least, if the Government of India had called upon Provincial Governments to elicit the public opinion also on these questions, along with the opinion of the officers concerned, I think they would not have gone very much out of the way and could not have been accused of having disobeyed the mandate that came from the India Office. The point was this in my opinion; they wanted to carry this inquiry in a secret way and not to take the public into confidence at all about this matter till their conclusions were ripe; and it is because of this secret way that we find that this most important question is being discussed after the Government of India Act is passed and everything is done.

Another most objectionable thing which I find is this: if it is a question of protecting the interests of a certain section of the people of India, now that the Government of India Act is passed, they could certainly have made some arrangements to prepare a plan which could be added on to the Act, not by way of an Order in Council that has to be ultimately adopted by the Houses of Parliament, but by certain rules that could later on be changed in accordance with the wishes of the people concerned and the representatives of the people in the Legislatures of the Provinces concerned. Some such arrangement they could have made. But now they want to make certain arrangements with a view that no modifications in the scheme can be made unless the Government of India and the British Parliament themselves think of bringing about those changes. To create a permanent cleavage between the people living in these Excluded Areas and the so-called civilised or advanced people of India is their aim. And what is their reason for that? What is the theory underlying all this? What are the implications of an exclusion of this nature? When we consider these implications, I believe, there cannot be any self-respecting man in this House whose blood will not boil with indignation. It means that the civilised people of India are incapable and shall for ever remain incapable, perpetually remain incapable, of looking after the interests of their backward people in this country. There is that arrogant assumption also along with it which will be resented from every quarter in this House, no doubt, *viz.*, that the foreigner coming from 7,000 miles has got an inherent capacity to look after the interests of these men. The capacity of the foreigner is prodigious! Whenever the interests of an Englishman are concerned, he thinks it is he only who can safeguard it; and, therefore,

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you find in the Government of India Act that there are so many safeguards and provisions by which the control of the people over them is entirely taken away—in fact the Englishman in India is not and will not be under the jurisdiction of the people of India at all in any form and at any time.

An Honourable Member: It is the white-man's burden!

Mr. M. S. Aney: It is the white-man's burden upon us. (Laughter.) If we ever succeed in shaking off that burden, it will be a happy day; but it is distant. As I was saying the arrogant assumption at the bottom is a great insult to the intelligence, self-respect, and sense of patriotism of all this is this: so far as Englishmen in India are concerned, they are there to protect their own interest: we cannot protect them. As far as our own uncivilised men are concerned, their interests also we cannot safeguard. What can we do? We can only look after our interests: we are incapable of doing anything beyond that. It is in that spirit that the Government of India Act has been made; and they want us to accept the Act also in that spirit. Every self-respecting man will certainly consider it a great insult to the intelligence, self-respect, and sense of patriotism of the Indians living in this country and he cannot allow a thing like that to go unchallenged. We know we are helpless: we know our protest will mean nothing: the thing will be done in spite of whatever we may do here. We know all that. But I want this House to remember one thing at any rate. Having taken up this question, if this House does not decide in favour of the Resolution which has been moved, we shall be committing the greatest blunder of our lives. In a way we will be giving consent to a policy which offends our sense of dignity and our sense of self-respect; and this responsibility I want the Members of the House to remember when they come to record their votes. The arguments of my learned friend, Dr. Hutton, which were elaborated with great eloquence—and I very sincerely congratulate him upon the very splendid speech he has made in this House—and also the special plea of the anthropologist which was advanced by my other friend there, have been very efficiently dealt with by my friend on the left, Mr. Joshi, the champion of all classes of poor people, backward and others, who are down-trodden. I do not, therefore, want to repeat his arguments; but the argument of the anthropologist is one which one cannot dismiss so summarily. Are these people to be kept perpetually in a barbaric state in the interests of these anthropologists?

An Honourable Member: The old story again.

Dr. J. H. Hutton: I never said that.

Mr. M. S. Aney: There is no civilised man in this House who will commit the egregious mistake of saying a thing like that in so many words, but the proposals he makes come to this. . . .

Mr. N. M. Joshi: Read his Report.

Mr. M. S. Aney: My friend, Mr. Joshi, says that Dr. Hutton has stated so in his Report. I have not read it, but it may be so. However, I again repeat—are these people to be kept perpetually in a state of

barbarism in the interests of a handful of these anthropologists? I am reminded, Sir, of a certain doctor who was very fond of carrying on certain experiments, and for that purpose he wanted some dead bodies. There is a story told in the Life of Sir Walter Scott, that this man, in the interests of science, used to procure dead bodies, and there were also certain persons ready to supply him with them even by committing murders. Sir, the present scheme is tantamount to the committing of a judicial or statutory murder. To create these Excluded Areas and Partially Excluded Areas to help these handful of anthropologists in order to add to their blessed stock of scientific knowledge really means you will be bringing about the death of the people whose interests you profess to serve and safeguard. The so-called advance of your scientific knowledge is worth nothing if it means the destruction or the perpetual denial of the rights of manhood and civilization of any section of Indians living in this country. I include in this foreigners also. I hope that they will be more comfortable in this land than they are in their own country, if they can only trust us.

Mr. S. Satyamurti: They are; all of them.

Mr. M. S. Aney: Let them have trust in us. They have committed unpardonable wrongs in this world; they are conscious of their own wrongs, and of their own guilt, and, therefore, they are unable to put any trust in us. Sir, the whole scheme is prepared in this spirit which is offensive to our sense of self-respect and dignity. I would, therefore, ask this House to strongly condemn the attempt that is being made to exclude the people of certain areas from the sphere of influence of civilised administration and thus to entirely segregate them from the rest of their brethren, and earnestly appeal to the Honourable Members to support the Resolution moved by my Honourable friend.

Mr. Saiyid Aminuddin (Bombay: Nominated Official): Sir, as I have served in certain districts of the Bombay Presidency to which the proposed Order in Council is about to be applied, I take this opportunity to place certain facts before this House. I have been Assistant Collector in the Thana District and also Collector of Nasik, and from my personal experience of village to village inspection and inquiry, I can say that Government are more than justified in partially excluding certain areas (*Some Opposition Members*: "Shame.") from the operation of the Government of India Act, 1935, in the best interests of the very backward classes and aboriginal population of those areas.

An Honourable Member: That is not the recommendation of the Government.

Mr. Saiyid Aminuddin: I will just cite one instance to convince my Honourable friend opposite. In the whole of the Dahann taluka of the Thana District, I came across only one individual from these backward communities who possessed land of his own. All the land in that taluka, during the last thirty years, has gradually passed into the hands of money-lenders and forest contractors. The factors which brought about this state of affairs are superstition, religious beliefs of these communities and the caste system.

An Honourable Member: And the Magistrates.

Mr. Saiyid Aminuddin: My Honourable friend, Mr. Joshi, will, I hope, not deny the fact that these communities are exploited by landholders and forest contractors. . . .

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): And by I.C.S., people where they are made to dance. (Laughter.)

Mr. Saiyid Aminuddin: They have no voice of their own in this Legislature. There is no representative of theirs from any of these communities who has come by election either to the Central Legislature or to any of the Provincial Legislatures. That speaks for itself. These backward and aboriginal tribes have not been able to take advantage of education in spite of doles and boarding houses that have been lately opened for them. It is, of course, not their fault. Education is a transferred subject in charge of Ministers since 1921, and yet I have not come across one matriculate from any of these communities of Varli. Kathods or Thakors who number several lakhs in the Bombay Presidency.

As regards their representation in services, there is not even a single clerk or a *talati* from any of these communities in the districts I had the honour to serve. All that is due to the educational qualifications prescribed for entering Government service for the sake of maintaining efficiency. The only people from these communities who have had the privilege to be employed in Government service are either peons or forest guards, and that is also because of the policy recently adopted by the Bombay Government in giving the backward and aboriginal classes certain representation in services. Are we, Sir, therefore, justified in keeping these people in this backward condition? They have no representation even on local bodies through elections. Whatever representation they now have is due to Government nominations, and there is not one single elected representative of these people from even talukas where these people are in a majority or form even important minorities. Out of 12 seats on the local bodies like the taluka local boards, there has not been one single elected representative from these communities. What does all this indicate?

Mr. B. Das (Orissa Division: Non-Muhammadan): Did Government nominate any of them?

Mr. Saiyid Aminuddin: Yes. They have been nominated in each taluka of the Presidency.

Mr. M. S. Aney: Government have Ministers now in charge of these Departments.

Mr. Saiyid Aminuddin: It would also be against the interests of prohibition to allow these communities to exercise a vote on local self-governing institutions just at present. My friends from the Bombay Presidency will. I hope, not deny the fact that at present barrels of country liquor are poured out at elections to get their vote, and, instead of educating them and improving their lot, these elections are at present a source of deteriorating their morals and their physical condition. I, therefore, ask this House to throw out this Resolution

Mr. Shri Krishna Sinha (Gaya cum Monghyr: Non-Muhammadian): Sir, I rise to support this Resolution moved by my friend, Babu Ram Narayan Singh. I must confess, Sir, that it was not without a degree of amusement that I heard the two speeches delivered by my friends sitting just opposite. If, after a century of British rule in India, there are parts of this country where people are still in a primitive condition, and whose condition is such, as has been pointed out by my Honourable friend, Dr. Hutton,

Dr. J. H. Hutton: On a point of personal explanation, Sir. Parts of Assam have not been under British rule for anything like 100 years.

Mr. Chairman (Pandit Govind Ballabh Pant): That is not a personal explanation. That is an argument.

Mr. Shri Krishna Sinha: Another gentleman who comes from the Thana District has said something about the part of the country from which he comes. Only the other day, I read that letter written by the Government of Bombay not incorporated in the White Paper, and I thanked the Government of Bombay for having at least taken a sensible view of the whole thing. My Honourable friend says that in a certain community numbering several lakhs in the Presidency of Bombay there is not a single matriculate to be found, and the blame for this he lays at the door of the Education Minister of that province. The reforms have been introduced only in the year 1920, and, if amongst a community consisting of several lakhs, there is not a single matriculate to be found, the responsibility for that lies on the British Government in India. I think there could, not have been a greater and a more bitter indictment of British rule in India than that contained in this allegation made by my Honourable friend. For more than a century the British Government in India has been of the most autocratic kind. If it be granted that settled British rule in India began after the Mutiny, even then India has been under British rule for about a century, and if, after such a long period, there is a community in one corner of Bombay which, in spite of numbering several lakhs, has not got one matriculate, then I say British rule in India stands condemned. The fact is that British Government in India has been a tragic failure till now. Before the reforms were introduced, the Government was of the most autocratic kind, but its policy, so far as these backward areas were concerned, was a most barren one. If we scrutinise it carefully, we shall find that there is no imagination, no sympathy in that policy. I have tried to wade through the pages of the White Paper which has been placed in our hands regarding the backward areas, and the only concern with regard to these people which has moved the officers of the Government is that they are primitive, they are simple, they are credulous, and so they must be saved from their neighbours from being exploited. Not one word has been said as regards the things done by the Government till now for their economical and educational uplift.

The one great charge against this Government is that, in their dealings with these primitive people, they have lacked in imagination and broadmindedness. Only the other day Sir John Simon, while writing his report after the enquiry which he made in India, said that the real work amongst the primitive people had hardly begun. He said that

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the concern of the Government, so far as the primitive people are concerned, should be not only that they should be saved from exploitation by their neighbours, but they should be made to stand upon their legs, and so far as this thing was concerned, the British Government had not done anything up till then and their regime had been a failure. Sir, I support this Resolution on a ground of principle. Just as my Honourable friend, Mr. Aney, has said, I say this Bill is based on a great distrust of the people of India. The moment when the idea of Excluded Areas was born, the way in which it has developed, and the manner in and the grounds on which larger areas have been tried to be brought under the section of the Government of India regarding Excluded and Partially Excluded Areas, show that the whole thing is based on a deep distrust of the people of India. The Secretary of State in his letter to the Government of India says that the people have to be saved from the normal consequences of popular government. When he enumerates the points which are to be taken into consideration, while making a recommendation for including certain areas in Excluded Areas, he distinctly says that those areas which had not been excluded so long may also be included into the schedule of Excluded Areas now, because the measures which were thought sufficient at a time when people were enjoying only a partial measure of responsible self-government in India may not be sufficient when they are going to have a larger measure of self-government in India. From the Secretary of State, if we turn to the Government of Bihar and Orissa, there also we find the same note. The question of Excluded Areas has been prominently before the public in the province of Bihar and Orissa. It has been brought up in the Legislative Council not less than six times, and I will tell my Honourable friend, Dr. Hutton, that if the principle of self-determination were to prevail in my province, there is not an inch of land in my province which should be put under this section of the Government of India Act. Twice that Resolution was brought in the Legislative Council by the leader of the aborigines and there is a virulent agitation going on in my province among the aborigines for non-exclusion. If my Honourable friend will go over there, he will see for himself how much the aborigines are against their parts of the country being put into the Excluded Areas. From 1928 the question of Excluded Areas has been pending before the Government of Bihar and Orissa.

When the Simon Commission came, the Government of Bihar and Orissa gave its opinion that Excluded Areas under them ought to continue as Excluded Areas. After the Simon Commission went away, the Government of Bihar and Orissa, in 1930, changed their opinion and recommended that certain parts of the Excluded Areas, that is, parts of Singbhum, Manbhum, Palamau and Sonthal Parganas might be taken out of the list of Excluded Areas. But when the new reforms came on the anvil, when it was found that by the new Government of India Act a larger measure of responsibility was being given to the people of India, the Government of Bihar and Orissa changed their mind and came to the conclusion that those areas must continue to be Excluded and Partially Excluded Areas. All this shows that the idea of having Excluded Areas is based on the principle of deep distrust of the people of India. So long the Britishers were ruling India in the most autocratic fashion we did not hear of Excluded Areas. The idea of having Excluded Areas

originated for the first time when in the Constitution of India there was a provision made, not for the introduction of responsible self-government, but for the expression of popular opinion through the Legislative Councils. For the first time it was then that in the year 1919 the principle of Excluded Areas was introduced in the Constitution. But at that time it was not so stringent as it is now. A mere comparison of the provision regarding it in the Government of India Act of 1919 with that in the Government of India Act of 1935 will show that the principle of Excluded Areas has been made more stringent. According to section 52A of the Government of India Act, the Governor General in Council is empowered to notify certain areas to be Excluded Areas. According to that, certain notifications were issued and certain parts of the country in the various provinces were declared as backward areas. If we go through those notifications we find that a very small part of those backward areas was taken out completely from the purview of the local Legislatures. A great majority of them were not taken completely out of the purview of the local Legislatures as it is now proposed. The only provision made regarding this great majority is that in laws particularly made for those areas there must be a provision that they are to apply only when the Governor General or the Governor gives sanction for it. But as regards general Acts passed by those Legislatures, they are to apply to those areas unless the Governor General in Council or the Governor in Council gives a special direction to the contrary. Because of this all the general Acts passed by the Local Council of Bihar and Orissa have applied to the several districts of Chota Nagpur save and except one section of the new Local Self-Government Act passed after the new reforms were introduced. But, Sir, according to the new Government of India Act, no general Act of any Legislature is to apply to these Excluded Areas unless the Governor General or the Governor gives a direction to that effect. So all these Excluded Areas will now be completely out of the purview of the local Legislatures.

Under the old Government of India Act, the Act which is in force at present, the local Legislatures are at liberty to put questions regarding these Excluded Areas and to bring forward Resolutions regarding them. But according to the present Government of India Act, so far as Excluded Areas are concerned and so far as tribal areas are concerned, this is a peculiar phrase in the Government of India Act, for a definition of which I have looked in vain, no questions can be put and no Resolution can be discussed. The Governor will have the power to frame rules to prevent discussion of any subject concerning any tribal area or any Excluded Area. Thus so far as the Excluded Areas and Partially Excluded Areas are concerned, the provisions regarding them have been made more stringent and the ground alleged for this is that a greater measure of responsibility is to be introduced in the Provincial Legislatures and, therefore, in order to save these people from the consequence of popular Government, it is necessary that they should be taken away from the purview of the local Legislatures. I, therefore, support this Resolution, because the whole thing is based on the principle of deep distrust of the local Legislatures which, it is said, will now be dominated by the elected representatives of the people. Not only the provision has been made more stringent but a wider area has been brought within its net. The Attorney General, while speaking in the British Parliament on behalf of the Secretary of State, definitely said when he was introducing the

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schedule that the supporters of the amendment should not expect that any substantial addition will be made to that schedule. But when he came out and sat down to write a letter to the Government of India it seems he was determined that the scheduled area should expand as much as possible. He forgot what he said in Parliament and wrote that he could not say that the schedule presented to Parliament was an exhaustive one. He wrote that he was not ready to defend an omission simply on the ground that the area was not so long an Excluded one and the reason he gives is that a greater measure of responsibility is going to be given to the people. Bombay, Central Provinces and United Provinces did not contain a single inch of land which was included in the list of backward areas. But now we find, that in spite of the protests of the Bombay Government, a gentleman here comes and blesses the proposal of the Government of India. He must do it because he has to serve the behests of the greater Lord. The Bombay Government in its letter to the Government of India said that it will be absurd to include certain areas in the schedule of Excluded Areas but in spite of that the Government of India has scrapped most of the recommendations of the Bombay Government and has included a very large area in Bombay Presidency in the schedule of Excluded Areas. Central Provinces and United Provinces also have come in for the first time for a large share in it. The whole thing is based on a deep distrust of the people of India. Therefore, on grounds of principle, as Mr. Aney said, we must oppose this provision about Excluded Areas. It is a direct slur on the nationalistic spirit and national integrity of the people. It means that people who have come from thousands of miles away can look after these aborigines better than Indians. In the words of Mr. James, we shall be as much aliens as these Britishers are but less sympathetic than they are. Thus it is on grounds of principle that I am opposed to the Excluded Areas being put on a lower level. I will now say a few words about Bihar.

Mr. Chairman (Pandit Govind Ballabh Pant): The Honourable Member's time is over. He must now bring his remarks to a close.

Mr. Shri Krishna Sinha: I will not take up much time. I will only say a few words. I support this Resolution on another ground. The province of Bihar is vitally affected by this provision in the Government of India Act regarding Excluded Areas. My friends from other provinces will be surprised to hear that half of the area of Bihar and a quarter of the population of that province are affected by this provision in the Government of India Act. Some eight millions of people of Bihar, leaving aside Orissa, will be affected by this provision in the Government of India Act. The level of general education in these Excluded Areas, at least in the Chota Nagpur plateau, is not lower than the general level of education in other parts of the province. Singhbhum, Manbhum and Palamau, so far as the general level is concerned, stand 4th, 5th and 6th, respectively, in the province. First comes Patna, next comes Gaya and then Shahabad. After these come the above districts of Chota Nagpur. I must admit that the aborigines are behind other classes so far as education is concerned. In this connection I will specially mention Sonthal Parganas. The Sonthal Parganas stands unique in the whole of the

province. It is ruled by Regulations. There is no proper Civil Procedure Code applicable to it. There is a set of 63 rules according to which all the civil suits of the district are decided. The High Court has got no jurisdiction there. The Deputy Commissioner is the District Judge, the magistrate and the revenue officer all rolled into one. There is no district board. Some time back Mr. Macpherson spoke in the Legislative Council about the achievements of the district so far as village self-government was concerned. He said that while the other parts of the province were hankering for village self-government, there in Sonthal Parganas they had it with a vengeance! But the nature of this village self-government will be apparent from the fact that headmen and sardars are to be appointed, dismissed and punished by the Deputy Commissioner. As I said, there is no district board. There is a road cess committee and all the members are nominated. This district has remained under most autocratic rule for about 100 years, undisturbed by any outside force, and yet the percentage of education among the tribal aborigines comes to the grand figure of 25. I do not know if the Government of Dr. Hutton will be very proud of this achievement. The achievement of the British Government, so far as these areas are concerned, has been a tragic failure. The whole policy regarding these aborigines must be changed. They must be put under their kith and kin and Indians must be trusted to look after their welfare. They have fared badly under the autocratic rule of the Britishers. and, therefore, I support this Resolution.

Seth Haji Abdoola Haroon (Sind: Muhammadan Rural): Sir, I rise to support the Resolution brought forward by my Honourable friend, Mr. Ram Narayan Singh. Sir, there is already much talk on the question of the Excluded Areas in the different provinces, but I want to bring the question of one whole and entire Province, namely, that of Baluchistan. (*Cries of "Shame, shame."*) Sir, if you look into the Government of India Act, you will find that there are several Chief Commissioners' Provinces, and the Federal Government are to have all the powers to make legislation for those provinces, whereas for Baluchistan, after making this legislation, the Governor General has full authority to amend the Act, or so that the whole Act should not apply for Baluchistan, and so on. Sir, Baluchistan has been occupied by the British Government since the last seventy or eighty years, and how, Sir, is the administration of the Province going on there? I think much has been said and much has been written about that. I do not want to take much time; I have very little time to speak on the whole question, but, Sir, you know very well that in 1932, some tribes were affected by the Khan of Kelat or somebody, I do not know, but they migrated into Sind in thousands and there was a great danger in Sind with regard to an epidemic of acts of lawlessness. I came forward to appeal to the Government to settle that matter. Then, again, in 1934, some Bugti-tribe people got annoyed with their Sardars and entered British territory in the Jacobabad district; at that time some authorities of the Bugti Sardars entered British territory and thus they took away some people by their own authority or something like that. Sir, if this is the state of things in this Province of Baluchistan left as it is, of which I am very much afraid now, much more serious and worse things may happen in the near future. Sir, whenever we are talking about the administration of Baluchistan, Government and the officials bring in all sorts of difficulties in the matter of giving them a reformed administration. Sir, I know that all these arguments used to

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be brought forward in this very legislative hall even in connection with the North-West Frontier Province, and the Government were not listening to our arguments until that province came forward and made sacrifices to gain some sort of relief at the hands of this Government; and today of course the North-West Frontier Province has got some sort of reformed administration, although I am not satisfied with that. Sir, if the Government want to wait and see whether Baluchistan is prepared to make similar sacrifices, I can assure you, Sir, that they will not fail. Even at the present moment, two gentlemen are rotting in jail on account of writing something in the Indians newspapers,—and they are in jail since the last two and a half years or three years. (Shame, shame.) Therefore, Sir, I strongly support this Resolution. I appeal to the Government that they should immediately consider this question for the province of Baluchistan. Sir, at present you will find that there is no municipality, although Quetta was such a big city and so prosperous and advanced in education and so on, but there was no municipality except some member nominated by the Government, and that is how they are running it. There is no District Board, no Local Board, there is no liberty of speech, there can be no publication of speeches, etc., but lately, I have heard, that some rules have been made so as to allow people to make speeches on the platform, but according to the present Administration no one dares to publish newspapers or make a speech, and even somebody belonging to Baluchistan, speaking outside Baluchistan, will be prosecuted and not brought before a Court of law but before a *jirga*, and that is how they are deciding their cases. Sir, Baluchistan is such a province; they very keenly and sorrowfully appreciate their position because they are very much connected with the Punjab and Sind; they are always looking to the people of the Punjab and Sind, where people are enjoying all sorts of freedom for speeches and for writings, and besides that, as regards the administration of the District Local Boards, there is very much murmuring. There is one thing the Government always brings in. They always say, well, the people do not need these reforms. They point out that the Simon Commission went there, and that all these Sardars and big people gave their evidence before them and said: “we do not require any reforms”. Sir, it may be correct, it may be true, but what sort of people were brought before the Simon Commission? Sir, whatever I understood or whatever I heard is that it is those people who went before the Simon Commission who were drawing political pensions (Laughter) and those who were getting land concessions from the Government, it is only those people who were drawing political pensions publicly, it is only such men who appeared, and those people told the Simon Commission that they did not require more reforms! (Laughter.) In that sense, it must be correct, as the Government say, because, if the reforms come, they might not get their political pensions and many sorts of facilities which they are getting today.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Sir, if the Government do not come forward and give the reforms straightaway, they will make a great blunder in the history of the Indian reforms. With these words, I support the Resolution.

Sir Aubrey Metcalfe (Foreign Secretary): Sir, the Honourable Member who spoke last has accused the Government—or rather has said that Gov-

ernment have frequently put forward all sorts of useless arguments against the grant of reforms to Baluchistan. Well, certainly, during the last three years, I have had no opportunity of putting forward those arguments. As you will probably remember, Sir, in the last Budget debate, it was only some ten minutes before the closure that that opportunity arose at all. I only then had two or three minutes left in which to make out my case and I, therefore, am grateful to my Honourable friend, on this occasion, for giving me an opportunity of placing before the House some possibly rather dull statistics which will, I hope, make it clear to all unprejudiced people that there are real and extremely practical difficulties about the grant of any full scheme of reforms to Baluchistan. Let us first enquire what is Baluchistan. Baluchistan, at present, consists of three different classes of territories. There is first of all the Indian States of Kalat and Las Bela which have an area of about 80,000 square miles and a population of about 4,00,000. Secondly, there are the Agency territories and tribal areas which are 45,000 square miles and have a population of 3,27,000. Thirdly, we come to British Baluchistan which has a square mile area of 9,000 miles and a population of only 1,36,000. The House will observe that the total area and the population of the entire Province including that portion which is Indian State it is only 1,34,000 square miles and 8,60,000 souls and that only about 15 per cent. of that comparatively small population reside in what is known as British Baluchistan. I will now try to explain briefly the differences and the affinities between the various parts of the Province. As I said before the States are Kalat and Las Bela which States have been ensured complete autonomy as to their internal administration. It is, therefore, obvious, that no scheme of administrative reforms could be applied to them by order of His Majesty's Government or of the Government of India. The Agency and the Tribal areas stand on a somewhat different footing, but even here, while I should say that Government do exercise certain administrative functions in the Tribal and Agency areas, the right to administer rests to a large extent upon agreements and there are definite juridical as well as grave practical objections to our attempting to extend to them any real system of reform as practised in British India. It is in fact extremely doubtful whether the Government of India could do this legally and in tribal territories there are peculiar circumstances which brought them under our administration.

However, leaving this for the moment, I will come to British Baluchistan which consists of the six tahsils of Pishin, Chaman, Shorarud, Duki, Sibi and Shahrig, which are all scattered tracts, situated in the middle of Tribal and Agency areas and, as I said before, they contain a population of less than 1,40,000. It is a mere accident of history that these tracts happen to be British Baluchistan, and included in British India at all. It only happens because they were ceded many years ago by the Afghan Government to His Majesty's Government as a result of a Treaty and all these six tracts, at present, are administered in exactly the same way as the Tribal and Agency tracts of which I spoke just now. If, therefore, an entirely different system of administration was to be applied to British Baluchistan it would introduce very great administrative difficulties.

Well, Sir, I hope that that brief survey will suffice to show that a reformed constitution can at most be extended to British Baluchistan only and I will not go any further into the juridical difficulties, but I would ask

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you to consider some of the very grave practical difficulties in attempting to establish any further system of reforms even here. I think it will perhaps be clearer—it is the fashion during this debate to quote the opinions of Government Officers and I will venture to quote to the House some remarks recorded some years ago but they remain equally true now by an Officer who had served a great deal of his service in Baluchistan. He had an entirely unbiassed mind and an extreme knowledge of conditions in Baluchistan. This is a quotation from Volume II of the Memoranda submitted to the Indian Statutory Commission. What he writes is this:

‘The population of Baluchistan contains three sharply differing sections, the military, the townspeople and the tribesmen. The occupation of the country was forced upon the Government of India and is maintained for purely strategic reasons. The urban communities did not exist before the British occupation in the eighties and nineties of last century and have come into existence mainly to supply the wants of the military, although they now depend to some extent also upon the growing trade with Afghanistan and Persia which has been stimulated by the railways. They have little sympathy with or understanding of the tribesmen of whose language and customs they are ignorant. The tribesmen inhabit thinly a vast area of arid mountains and valleys of which probably less than two per cent is cultivated. The rainfall is scanty and there is little perennial water, but in the hot weather the stony nullahs are sometimes filled with brief and uncontrollable floods. Many of the tribesmen are nomadic and many semi-nomadic. Their principal occupation is pastoral.’

Then, he goes on:

‘Life and administration present modern complications of India only among the small alien communities of the so-called towns. The more important British Indian laws have been nominally extended to the whole of Baluchistan outside the Kalat State, the Marri and Bugti tribal areas and the Chagai district. But in practice these laws affect only the few towns and headquarters bazaars. The rest of the country is governed by customary law, as ascertained and modified from time to time by assemblies of tribal elders. These regulate questions of inheritance, betrothal, marriage, the status of women, the composition of cases of adultery disputes regarding tribal boundaries, land and water rights and civil claims of all kinds and adjudicate on the guilt of persons accused of crime.’

Mr. M. S. Aney: On a point of order, Sir. Is the Honourable Member permitted to read out the whole book?

Sir Aubrey Metcalfe: I have not yet read out the whole book. I am quite ready to do so. What I have read out is very interesting to those who wish to know about things for themselves.

That officer continues:

“Thus the tribesmen of Baluchistan,”

—this is very important and I wish to invite the attention of the House particularly to this quotation—

“Thus the tribesmen of Baluchistan are, in all essential matters which affect themselves, already self-governing. They ascertain and expound their own customary laws, which are the only laws permitted by the administration to be applied to them. So far as can be discovered by consultation with the leading men of the tribes, there is no general desire for a change.”

Dr. Ziauddin Ahmad (United Provinces, Southern Divisions: Muhammadan Rural): Will the Honourable Member tell the House whether the Indian States, now under the control of the Agent to the Governor General in Baluchistan, will be included in the future Federal Assembly?

Sir Aubrey Metcalfe: I am not a prophet.

Dr. Ziauddin Ahmad: It is not a question of prophecy, but a question of facts.

Sir Aubrey Metcalfe: The Honourable Member asked me whether they were going to be included in the future Federal Assembly and I replied that I was not a prophet. I cannot tell him.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): May I ask the Honourable Member if he knows that there are 30,000 people from Quetta-Pishin (Baluchistan), whom I know intimately, living in Bombay the whole year and doing business there and I think an equal number out of British Baluchistan live in Calcutta doing money lending business there and they all want a change in the system of administration in their province.

Sir Aubrey Metcalfe: I have no information on that point. This is generally the condition in the areas of Baluchistan which are now under the Government administration, in both the Agency and in British Baluchistan. It remains I think as true today as when it was written, and the only material difference in the situation arises from the tragic events of last year when Quetta city which, although not even located in British Baluchistan, was the only centre and focus of political thought and aspirations of the kind which animate more progressive parts of British India, was practically wiped out and has not yet been reconstructed. I do not wish to weary the House or you, Sir, with further arguments as to the impracticability of making an autonomous province out of an area which in extent of population would compare unfavourably with a Punjab *tahsil*. I will only draw attention to two other arguments which appear to me to be of particular importance. One is finance. The whole revenue of the province is at present only about 20 lakhs of rupees, and the cost of running the province is something in the neighbourhood of 90 lakhs; so that in effect the Central revenues have already to give the province a subvention of something like 70 lakhs, and I can assure the House that the present administration is of the very cheapest type possible. If a full scheme of reforms were to be introduced the amount of the subvention which would have to be given from Central revenues would inevitably be far higher than it is at present. And I may add that owing to the smallness of the population and the nomadic and pastoral character of their occupation, there is hardly any scope for increase in prosperity or development of industry.

The second point that I would like to make is, why should it be attempted to graft upon what is very closely akin in nature and character to the tribal areas of the North-West Frontier Province a system of administration which nobody has ever suggested should be introduced into the tribal areas of that province. I have heard on more than one occasion Honourable Members on the opposite side of the House complaining about

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Government's desire to penetrate and to interfere generally in the tribal areas of the North-West Frontier Province. Why then should it be argued that they should not only interfere in the tribal areas of Baluchistan but should force upon them an administration which they do not want and which is entirely alien to all their ideas of how they should run their affairs?

That, Sir, I think, is all that I need say. But I would perhaps, in conclusion, remind the House of the old proverb of pouring new wine into old bottles. I have heard various opinions expressed from one time to another as to the quality of the new wine, and I do not think that we are all agreed even about that. But what I would like the House to feel is that at any rate in Baluchistan there are no bottles capable of containing this particular type of stimulant.

Mr. M. Asai Ali (Dulhi: General): Sir, I move that the question be now put.

Mr. President (The Honourable Sir Abdur Rahim): The Chair takes it that the House does not desire to continue this debate any further. Therefore, the Chair will put the question.

The amendment will be put first.

The question is:

"That at the end of the Resolution, the following be added:

'particularly by immediately moving His Majesty's Government to secure an appropriate amendment to the recent Order in Council on the subject of Excluded and partially Excluded Areas.'

Pandit Nilakantha Das: Sir, may I suggest a formal amendment? In place of "recent order". I should like to suggest "recent draft order".

Mr. President (The Honourable Sir Abdur Rahim): Very well. The question is:

"That at the end of the Resolution, the following be added:

'particularly by immediately moving His Majesty's Government to secure an appropriate amendment to the recent draft Order in Council on the subject of Excluded and partially Excluded Areas.'

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The whole amended Resolution will now be put.

The question is:

"That this Assembly recommends to the Governor General in Council that he may be pleased to take such steps as he thinks necessary and proper to extend the same level of administration to the people of Excluded Areas, partially Excluded Areas, and Chief Commissioners' Provinces including the British Baluchistan, positively from the 1st of January, 1937, particularly by immediately moving His Majesty's Government to secure an appropriate amendment to the recent draft Order in Council on the subject of Excluded and partially Excluded Areas."

The motion was adopted.

RESOLUTION *RE* RELEASE OF POLITICAL PRISONERS DETAINED WITHOUT TRIAL.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural):
Sir, I beg to move the following Resolution:

"That this Assembly recommends to the Governor General in Council to release, or direct the release of, all political prisoners detained without trial."

At the very outset, Sir, I must make it clear that I am placing this Resolution for the consideration of this House on grounds of justice and fair-play and no others. Sir, the Resolution seeks to secure the release of all political prisoners who have been detained without trial. Their number is pretty large, they have been detained for long periods and there is no knowing when and how they are going to be released. Sir, if there were only one person detained in the manner that these unfortunate persons have been detained and also not for political reasons, I would have been the foremost person in bringing forward a similar Resolution; and I am confident that as custodians of the liberties of the people Honourable Members would have extended their whole-hearted support to the Resolution. It is the basic principle of administration of justice, recognised to-day all over the civilised world, that nobody shall be deprived of his liberty without being given an adequate opportunity to refute the charges that are brought against him, before a properly constituted authority, if not a court of law. But the ways of Government here are quite the contrary. Not only is such a large number of persons detained without trial but they do not even know what charges have been brought against them, nor do they know how and when they are to be released. And yet Honourable Members on the opposite side claim to be members of a civilised Government. In their defence they might cite the example of Germany, Italy, and even Russia; but they must remember that in those countries the Parliamentary system of Government has been replaced by dictatorships. And I would not be here to question the authority of Government or to expose the hollowness of their professions, or for the matter of that, quarrel with the Honourable Members opposite on any other ground if, in India, the Legislatures were closed and a dictatorship with the Governor-General as dictator were established, in form as well as it is in fact, with the Honourable the Home Member and the Honourable the Law Member playing the roles of Goebels and Goerings.

Sir, India is the only country where the Legislatures are supposed to have been functioning, and still such a large number of persons have been so ruthlessly deprived of their liberty, and it is up to the Members of this House to declare with one voice that henceforth they shall not be any party to the great travesty of justice that is being perpetrated here and that they will no longer remain silent spectators of the rough and ready manner in which thousands of young men are being suppressed. No, it will not be far wrong to say that the flower of the youth of Bengal is being smothered. Sir, to remain silent in the face of so much injustice, repression and hardship would be tantamount to being ourselves part authors of all this, and therefore, we have to raise our voice of protest, however ineffective it may be in the counsels of the Government as it is constituted today.

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Sir, what are the crimes of these young men for which they are being punished? Nobody knows except the local Hitlers and Mussolinis who have come to the drastic conclusion that these persons are dangerous to society. And, on what basis have they arrived at such drastic conclusions? On the basis of information supplied by police spies, informers and agents. I have some experience of these police spies and agents. During the last 15 years, I have been prosecuted nine times, and I can say without fear of contradiction that not once was I convicted on true evidence. Whenever my conviction was secured, it was on false, although sworn, testimony of these informers and police agents. Sir, everyone here has had some experience as to how the police acts whenever it is given a free hand. As regards the agents, the less said the better; most of them are veritable dregs of society and even our friends, Sir Abdul Halim Ghuznavi and Sir Muhammad Yakub, who are not here, would be ashamed to associate with them openly. (Laughter.) They must be associating with them secretly, because they get their information from these quarters, although they have not the courage to confess where they get their secret circulars from, circulars purporting to have been issued by terrorists and communists. I was saying that I was convicted on false evidence: it was not because there was no other evidence available on which they could have secured my conviction, but because there being no fear of cross-examination, or of prosecution, for giving false evidence they thought that any cock and bull story would suffice to secure my conviction. For the first time that I was prosecuted, the police agent or the informer gave evidence on oath that I was the President of the District Congress Committee, while I was not perhaps even a Member of that Committee. On the other hand, I was the Secretary of the Town Congress Committee, and I had issued thousands of printed notices over my signature, and even that fact could have brought about my conviction. But nothing of the kind was done. Another time, when I was arrested while going to picket foreign cloth shops, these police agents came forward and deposed on oath that I had distributed leaflets from my balcony appealing to the people to join the Congress organisation which had been declared unlawful. Sir, if this is how these police informers act when they are required to give evidence before open courts, you can well imagine as to how they must be working and what sort of information they must be supplying when it is not a question relating to an open movement like the non-co-operation movement, but to secret movements like terrorism and communism—the terrorist movement. But I am not here to blame these police spies either, because I know that even if these persons had belonged to a better type, secrecy and security from prosecution would have demoralised them. Sir, it is, therefore, to say the least, bad policy to detain any person on the information received from such sources for indefinite periods and without bringing them to trial.

Sir, you will remember that numerous questions have been asked in this House regarding detainees, and we have always received cryptic answers from the Honourable the Home Member that their cases are being periodically reviewed and that they will be released when it is considered that they could be released without any danger to society. As to what authority reviews these cases and what material is placed before the authority we know nothing. Supplementary questions were asked as to whether it was the conduct of these detainees during the preceding

period or the reports from their districts that were considered by the authority, but no definite answers were ever given to these supplementary questions. In case it is the reports from the districts, we would like to know how these reports are prepared and who prepares them. Are they not again these police informers, spies and agents, who are responsible for these reports? Sir, may I know what were the circumstances that prevented the release of Mr. Sarat Chandra Bose in January, 1935? I fail to understand how his release, a few months later, was not considered dangerous unless it was because the Government wanted to deprive the opposition of one vote. Even if that was the reason, I think there is still greater reason for this House to see that these unfortunate persons, who are being detained without trial for such indefinitely long periods, should be either brought to trial or released. This Resolution does not plead for the release of all political prisoners, not because I feel that they have been rightly convicted; because I am one of those who feel that as the struggle for freedom grows more grim, there are bound to be large numbers of political prisoners. I stand here to plead in the name of justice and fair-play that no person should be detained unless a proper charge has been framed against him and it has been proved before a duly constituted authority, if not in a court of law. Sir, it may be pleaded on behalf of Government that these persons are being detained on grounds of law and order. Let us see what kind of law and order we have in this unfortunate land of ours.

Law here has no relation to principles of jurisprudence or natural law. Law here is only the embodiment of the will of the executive brought about by the certification powers of the Governor-General or through the good offices of *effete* legislatures which have already outlived their normal periods of life and which do not command the confidence of their electorates. . . .

Mr. M. S. Aney (Berar Representative): Did they command confidence at any time before?

Mr. Mohan Lal Saksena: They never commanded confidence. I am not one of those who regard a law as just merely because of its source of origin. The end of law is the satisfaction of human wants, not the wants of a few; not the wants deemed right by those applying the law; but the totality of wants encountered by law. The preservation of millions in their poverty, impotence and ignorance and the safeguarding of the interests of a few against the demands of the many for a fuller and richer life is not to my mind law and order. The keeping of order, important as it is, cannot be allowed to subordinate to itself all that is worthwhile in the purpose of society and a state which is informed mainly or wholly by that desire will use these powers to dwarf the moral statute of its citizens. In fact that is what is being done in this country today, and particularly in the province of Bengal. I may confess that I am one of those who do not believe order to be perpetually good or revolt to be usually immoral. The powers that are conferred on a Government are not for the sake of power, but for the sake of securing certain ends—the happiness and welfare of the people and the society; and the moment these extraordinary powers are abused and it becomes impossible to realise one's individual happiness or to subserve the best interests of the nation, it becomes our duty to revolt against such authority. Nobody here would deny today that

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Washington better served the interests of the nation and humanity by raising the banner of revolt against the Government of King George III, than he would have done by quietly submitting to the iniquitous regime that then obtained there. Even the temporary disorder and turmoil proved to be the precursor of a new era, a better, fuller and richer life for the people of the United States. Subject to these important qualifications, I am prepared to support any proposition that is brought out in the name of law and order by this Government or, for that matter, by any other Government.

Again, it will be said that these persons have been detained because of their connection with terrorism. We, on this side of the House, are opposed to terrorism, perhaps, even more than the Government, and its henchmen. We are opposed to terrorism because we feel that terrorism and freedom are mutually contradictory, because we are convinced that, situated as India is today, terrorism is detrimental to the best interests of the country; and lastly, because by terrorist methods, we can at the best succeed in changing the actors, not the system. We, on this side, are out to change the entire plot, to put an end to the tragedy that is being enacted in this country. We shall not be contented with merely changing the personnel. We do not want Britishers to run away for fear of their lives: but we want them to play a different, more honourable and nobler role than what they are playing today. And while we, in our own way, have tried to counteract terrorism, we cannot be any party to the detention of any one without trial, even on grounds of his supposed connection with terrorism. I know it for a fact that in the name of suppressing terrorism even peaceful and political activities have been suppressed and a large number of those persons who have had nothing to do with terrorism are detained. By all means suppress terrorism; but it must be done in a manner which instead of exciting hatred against the Government by the people, may win their approval and support. If I were asked who are the biggest culprits in the matter of 'spreading disaffection, I would say the sponsors and supporters of the present policy of detention without trial. Time alone will show that they have done more to undermine the foundations of the British Raj in India than ourselves. I hope the Honourable Members on the other side will still realise the enormous amount of harm they have done to the cause they suppose they have been furthering.

Although I was not allowed to come into contact with the detainees or their relations, still, from the little I have been able to gather from their friends and relations in Calcutta, I can say that if the present policy of detention without trial continues, a large number of them will either go mad or commit suicide. It is another thing to be wrongly convicted and even to get a life sentence. But the present life of uncertainty which they are forced to lead is bound to tell on their body and mind. Sir, what about their relations and dependants? It will be argued from the other side, that they are being paid suitable allowances. Firstly, from what I know, I can say that there are hundreds of cases where any allowance or at least adequate allowance is not being paid. But even assuming they are paid, may I ask what will be the feelings of the Honourable the Law Member if his own son or any other near and dear relation were similarly detained, with the wife and children of the victim pining for his love and association? I would also ask the European Members of this House not to be influenced

by extraneous considerations, but to place themselves in the position of those unfortunate relations and to visualise the hardship and suffering they are undergoing, notwithstanding the much talked of niggardly allowances that are paid to them. Many of these relations have fallen victims to phthisis and other nasty diseases and some of them are already beyond the reach of human torture. In fact, in their cases, premature death has brought them the much-needed relief. I hope my European friends will rise equal to the occasion and, however much we may differ in other matters, they will join us in securing justice for these unfortunate persons. As far-sighted people, they will, I trust, do nothing of which their sons and grandsons need be ashamed. As for the Government, I would ask it to take a lesson from the King of Greece, who, notwithstanding the advice of the Cabinet which brought about his restoration, ordered the release of all political prisoners even when the cabinet had resigned. He was loved all the more for this great gesture and he is perhaps more secure on the throne today than he would have been with all these persons clapped within jails. Sir, with these words I place this Resolution for the acceptance of this House.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council to release, or direct the release of, all political prisoners detained without trial".

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division: Non-Muhammadan Rural): Sir, I stand to support this Resolution which, on the face of it, really demands the unstinted sympathy of every part of this House without any division. Sir, we may have differences on many questions, but, on the question of release of political prisoners without trial, there can possibly be no room for any difference of opinion, because it means a question of fundamentals: that no man should be punished unless he is proved to be guilty. Sir, these thousands of youngmen of India, the flowers of the youth of India, are rotting in jails, they have been kept in confinement and detention for years and years without being heard and without any remedy. Now, who are these people who are kept in confinement? Are they criminals? Have they done any overt acts to justify their continued confinement or detention without trial for indefinite period? Have they been given a chance to prove their innocence, have they been given an opportunity to prove that the allegations against them are mere allegations? Have they committed any breach of the public peace? No. They are not hardened criminals to be kept under detention for indefinite periods. Even criminals are released after a time, but these young men cannot come out, they are not given a chance to have their say. Now, Sir, I am not advocating the cause of imposters, up-starts or people of that type, nor I am advocating the cause of political adventurers. I am advocating the cause of those of whom any country will be proud. I am only referring to the cause of men of character, of men imbued with a high sense of patriotism, who have capacity for suffering in the cause of the country, and who have actually sacrificed their whole life for the country. I am advocating the cause of those who, by culture, education, attainments and sacrifices, have endeared themselves to the people of this country. I am advocating the cause of those who are equal to

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Mazzini, Garibaldi, Michael Collins and D'vclera. I am advocating the cause of those patriots who have been kept in prison on mere suspicion.

Sir, the pages of history of independence are full with accounts of the sacrifices made by such people, they create history by their sacrifice and suffering. Mazzini was hunted by the Austrian Government of those days, but when Italy was free, he was worshipped. Today his house has become a place of pilgrimage to people belonging to nations, free or slave, all over the world, who pay their homage to him. Now, what is the fault of these youngmen who have been kept in prison without trial indefinitely? What crime have they committed? What is their crime? It is their love of country, it is their love of freedom. That is the crime for which these people are kept in confinement; but if love of country, if patriotism is a crime, then, Sir every Englishman is a criminal, every man who loves his country, every man who suffers for his country, is a criminal. Even the late Sir Surendra Nath Bannerjee, who suffered for his country for some time was according to this theory, a criminal; the late Mr. C. R. Das was a criminal; even Mahatma Gandhi is a criminal if love of one's country is a crime. Why don't the Government put everybody here on your left in jail? Sir, these people who are in detention love liberty. Every man worth the name loves his mother-land, loves liberty, loves freedom, and if love of country and love of freedom is a crime, then the Government will have to put every one of us in jails. Sir, the British Government have forged certain laws which enable them to keep men in detention for indefinite periods without any rhyme or reason, and they are called laws. I am sorry, I am ashamed, Sir, the other day we could not pass the repeal of the Criminal Law (Amendment) Act in this House, still I ask this House to consider seriously the evil effects of such laws as these. Are these laws helping the British Government to carry on their administration peacefully? What is the object for which these laws have been framed? Are these objects fulfilled by passing and application of these laws? Sir, there are laws like Regulation III of 1818, the Arms Act, the Criminal Law (Amendment) Act, the Bengal Security Act, the Bengal Terrorists Act, the Seditious Meetings Act and several others on the Statute-book. For what purpose have these laws been framed? They have been framed only to curb the legitimate aspirations of Indians to freedom.

Sir, I ask, can any law ever stem the tide of nationalism, can any law ever stop the aspirations of any nation, once they make up their minds to liberate themselves from the bonds of slavery? Sir, here it is not a question of special pleading. This is a question of releasing those who are suffering under these laws on mere suspicion. Really this is a question which does not require any special pleading or advocacy. Any man with a grain of common sense in him and with any reason in him will support the proposition before the House. These thousands of youngmen are suffering in silence. Why? Simply because some informers have given wrong information to the authorities. Now, what is the *locus standi* of these informers? Who are those informers? What is their social status? What education they have? Have they any sense of self-respect? Have they any sense of morality? Can they stand and show their face in the public? No, Sir, even school and college students today are being paid for espionage. Teachers in schools and colleges are asked to seduce youngmen and to become *agent provocateurs*. In

some places, teachers encourage young students to take terroristic views and when they fall a prey to their temptation, they are then handed over to the police, and, before these youngsters can do anything by way of representation, they are put in jail without trial and without being heard. Sir, the British Government have lost all sense of propriety. People, who had undergone trials under Special Tribunals and in Criminal Courts, being found to be innocent were discharged by Courts, but as soon as they slipped out of the Court compound, they were vanished away under the Criminal Law (Amendment) Act. The British Government have lost faith even in their own tribunals, and, in spite of that, they say they are justified in keeping these youngmen in prison for indefinite periods. Sir, we hear every day that there are terrorists, they are murderers, but do the British Government really fear murderers? No. The officials do not fear to murder, in fact they love to murder. In fact they are afraid of being murdered. Sir General Dyer murdered numerous innocent people, men, women and children, and British people raised subscriptions to honour him, and when they are themselves found of murdering innocent unarmed people, they shamelessly say that our youngmen are murderers. No, they are not murderers. I say, Sir, with all the emphasis at my command, they are patriots of the highest type, and the whole country owes much to them. Their love of country and their love of freedom cannot be expressed in suitable language. They cannot be too highly praised for their character, patriotism and sacrifices.

Sir, the British Government are always found boasting about keeping
5 P.M. peace in India, and they are always vaunting of maintaining law and order. Sir, there is order where there is real law, when there is law worth the name. Where there is no law, there is no order. Where the law is absolutely repressive, there cannot be any order. It is common truth, it is common sense, and when they speak of law and order, when they speak of peace, they practically speak of death. With our voices choked, with the press gagged, with our movements stopped, they want to give us peace! With our arms tied behind they want to give us peace! Where any man can be taken away, either interned at home or interned outside, when they can detain any person without any notice simply under some section of certain lawless laws—there they give peace! How many riots have taken place during the last decade and how many unarmed people have been wounded and how many unarmed people have been shot dead, let Government answer. And, at the point of bayonet, Sir, in the name of peace, they give us death, a living death, they give us peace! Where patriotism is a crime, where idealism is suspect, where ordinary crimes are of everyday occurrence, Where soldiers are employed to raid houses for no cause whatsoever, where millions of people go without meals from day to day, where inhabitants are always kept under executive tyranny, there, they pose to give us peace: Sir, is it peace? Is it law and order? You may be interested to hear that only the other day when Sir John Anderson was going on his tour in Bengal, several young men had been taken to *hajut* and they were shamelessly abused and ruthlessly beaten too. It is simply preposterous to pose to give us peace in the name of law and order. Sir, West has yet to learn what peace, culture and civilisation signify.

If conquest of one country by another is not a crime, then the re-conquering of that country by its countrymen is never a crime. If England

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had conquered India and if that was not a crime on their part, then the attempt of some of these young men to re-conquer India, their own motherland, cannot be a crime.

An Honourable Member: Certainly not.

Mr. Amarendra Nath Chattopadhyaya: If they have done really anything, if the Government have got any proof of their complicity in any conspiracy, let those men be placed before a Court, let them be placed before an open Court where, you know, there is still some sense of justice left. But the Government have not the courage to do that. I, therefore, appeal to this House, in the name of all that is sacred, in the name of the country which we worship and adore, and in the name of all that is sacred to humanity, as well as to Englishmen, I mean, liberty, in the name of their esteemed and beloved King-Emperor, they must do justice to these young men who have been suffering in silence and under detention, without knowing any reason, without having any chance of proving their innocence, without having been proved guilty of any overt act, without having been proved guilty of any crime. The question is not one of a small or private character, it is the cause of a private individual suffering on account of vindictive officials. No! It is the cause of humanity. It may in the consequence affect any and every man, either in a free or a slave or semi-slave country, at all times and in every clime, and particularly young men living in India under the British Government. It is the best cause; it is the cause of liberty.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time.

Mr. Amarendra Nath Chattopadhyaya: One minute more, Sir, and I have done. I have no doubt that your upright and honest conduct in this Honourable House will not only entitle you to the love and esteem of our fellow citizens in India, but every man who prefers freedom to a life of a slavery will bless and honour you as men who baffled tyranny of lawless laws, and by your impartial and uncorrupt verdict you will lay the noblest foundation of securing to ourselves and to our posterity that which nature and laws of all free countries have given us—the right and liberty of undoing arbitrary acts of power swollen Government. Sir, I know it was a fit subject to be judged in a Court of Law, but not under any section of lawless laws by which men are not allowed to live in their own country as free men, because they love liberty. (*A Voice:* “Are you speaking on the repeal of repressive laws?”) No, I am now dealing with the release of political prisoners without trial. Let the release of political prisoners without trial be the first gesture of this Honourable House, and then we shall come to the repeal of all lawless laws in time. Sir, I appeal again to this Honourable House not to mince matters, not to be biassed or influenced by blind self-interest or on any account, because it is a simple matter of justice, pure justice, mere fairness, mere justice, mere equity requires it, and, therefore, as a Member of this Honourable House, I resume my seat with the hope that this Resolution will be carried *nem con*.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 19th February, 1936.

LEGISLATIVE ASSEMBLY.

Wednesday, 19th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Evan Meredith Jenkins, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

CONSTRUCTION OF A ROAD FROM MACHALA TO PULLANDDIGUEM IN THE GUNTUR DISTRICT.

575 ***Prof. N. G. Ranga:** (a) Are Government aware that there is no road to the Pullanddigudem where are situated the Nagarjunakonda Buddhistic treasures and finds, the latest of which are of the second century, and that therefore the public are not able easily to reach that place and benefit themselves from their study of those valuable architectural and religious treasures?

(b) Are Government prepared to consider the advisability of constructing a road from Machala to Pullanddigudem?

Sir Girja Shankar Bajpai: (a) Yes.

(b) This is being considered by the Local Government, whose responsibility it is.

BUDDHISTIC MONUMENTS, ETC., OF AMARAVATI, BHATTIPROLE AND UNDAVALLI IN THE GUNTUR DISTRICT.

576. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact that (i) the Buddhistic monuments and the artistic and architectural treasures thereof of Amaravati, Bhattiprole and Undavalli in Guntur District are not properly housed or protected, (ii) that the Bhattiprole stupa's mound is thickly over-grown with bush and weeds, and (iii) that nowhere is any indication, either by sign-board or by a notification, given of the special importance of those treasures in our history?

(b) Are Government prepared to properly house and protect them and issue a descriptive catalogue in Andhra and English, if not for those finds alone, at least for all such treasures in Guntur District, including those at Nagarjunakonda?

Sir Girja Shankar Bajpai: (a) It is not clear from the Honourable Member's question to what artistic and architectural treasures he refers. There is a small stupa at Amravati which is well preserved and the few sculptures retained there are properly looked after. At Bhattiprolu there is only a Buddhist mound which has been declared a protected monument and is kept free from jungle. A notice board at the site warns the public against committing damage to it. The protected monument at Undavalli is a four storeyed rock-cut temple in charge of a local Committee which maintains it in accordance with the advice of the Archaeological Department.

(b) From what I have already said, the Honourable Member will realise that the question of housing any antiquities or of issuing a descriptive catalogue does not arise except in regard to the finds at Nagarjunikonda. The position regarding the publication of a guide to the latter has already been explained by me in reply to another question.

Prof. N. G. Ranga: Are Government aware of the fact that the artistic treasures and remains at Amravati are not at all protected from wind, rain and the vicissitudes of the seasons, and will Government consider the advisability of taking proper steps to protect them?

Sir Girja Shankar Bajpai: I understand that the vicissitudes of the seasons to which these monuments are exposed are vicissitudes to which they have been exposed since the buildings were first constructed.

REDUCTION OF FREIGHTS ON AGRICULTURAL COMMODITIES AND THIRD CLASS FARES.

577. ***Prof. N. G. Ranga:** (a) Will Government be pleased to state (i) whether the railway revenues have been improving, and (ii) whether there is any likelihood of a Budget surplus in Railways?

(b) If so, are Government prepared to consider the advisability of lowering the freights on agricultural commodities and the rates for third class passengers?

Mr. P. R. Rau: My Honourable friend will have found an answer to his question in the speech of the Honourable the Railway Member introducing the Railway Budget and the budget papers circulated on Monday.

WATER TAPS AND TANKS IN THE LATRINES OF THIRD CLASS CARRIAGES ON THE BENGAL NAGPUR RAILWAY.

578. ***Prof. N. G. Ranga:** Are Government aware of the fact that in many third class carriages on the Bengal Nagpur Railway, the water-tanks provided for the latrines, are not regularly filled either at the starting stations or at the junctions, and that many water-taps therein are not repaired and so are unusable? If so, are Government prepared to take steps to remove these defects?

The Honourable Sir Muhammad Zafrullah Khan: No. Government understand that arrangements have been made to ensure that all tanks are filled with water both at starting stations and at stations *en route* where trains halt sufficiently long to replenish tanks. The allegation in regard to water taps has been brought to the notice of the Administration.

CLEANSING OF LATRINES OF THIRD CLASS CARRIAGES ON CERTAIN RAILWAYS AT JUNCTION STATIONS.

579. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact (i) that it has become practically impossible for third class passengers to get their carriages and the lavatories therein cleaned even at junction stations on the South Indian Railway, Madras and Southern Mahratta Railway and Bengal Nagpur Railway; and (ii) that neither the guards nor the Station Masters pay any attention at most places to the requests of passengers to send the sweepers to clean at least the specified carriages?

(b) If so, do Government propose to take steps to see that at all the junction stations, at least, a sweeper is regularly kept on duty and ready on the platform to clean the carriages as the trains come on to the platform?

The Honourable Sir Muhammad Zafrullah Khan: (a) No. The Agents of the three Railways referred to deny these allegations and the Agent of the South Indian Railway further states that public complaint books are kept at many of the important stations but no complaint in regard to these matters has so far been made.

(b) Does not arise.

INCOME-TAX PAYERS IN THE BOMBAY PRESIDENCY QUALIFIED TO BE ENTERED IN THE ELECTORAL ROLL FOR THE COUNCIL OF STATE.

580. ***Mr. N. V. Gadgil:** What is the number of income-tax payers in the Bombay Presidency qualified to be entered in the electoral roll for the Council of State recently prepared, but who have not been so entered in the roll?

The Honourable Sir Nripendra Sircar: On the occasion of the preliminary publication for claims and objections, 611 persons were included in the rolls on the strength of possessing the relevant income-tax qualification. The total number of persons possessing the qualification is believed to be 1119. In other words, the number of qualified persons, not included on the occasion of the preliminary publication, was approximately 508.

Mr. N. V. Gadgil: Will Government take steps to see that they are also included in the list?

The Honourable Sir Nripendra Sircar: I think I ought to explain to the Honourable Member that the income-tax authorities are precluded by section 54 of the Indian Income-tax Act from supplying lists of qualified persons to the registering authority, with the result that, in the absence of applications from qualified persons themselves, the registering authority has no means of securing their inclusion in the roll, that the preliminary publication for claims and objections effected on the 18th January will afford ample opportunity for claims by qualified persons and that it is for candidates and political organisations interested in the completeness of the rolls to see that qualified persons make claims.

Mr. S. Satyamurti: Will Government consider the advisability of amending the Income-tax Act, so as to enable the income-tax authorities to supply the lists to the returning officer, whoever he may be, so that the

list may be complete in so far as information is available with Government already? I had the difficulty in Madras, where 4,000 men had been excluded from the list.

The Honourable Sir Nripendra Sircar: This is really a matter, for the Honourable the Finance Member, but I do not think the Honourable Member can expect a question of policy like that to be answered on a supplementary question.

Mr. S. Satyamurti: Will the Honourable the Finance Member be good enough to consider—he is more alert—whether it is not necessary to amend the Act so as to give to the authority concerned the names of all income-tax assesses for the purpose of including them in the electoral rolls?

The Honourable Sir James Grigg: I shall consider the question of amending the secrecy provisions of the Income-tax Act for the purpose of the electoral rolls, though I am not particularly anxious to carry somebody else's baby.

Mr. S. Satyamurti: May I ask whether Government are not interested in making the electoral rolls as complete as possible?

The Honourable Sir James Grigg: I am not the Member of Government particularly interested in that aspect of the question.

Mr. S. Satyamurti: When I ask the Law Member, he refers me to the Finance Member, and the Finance Member says that he is not interested in the subject matter of the question. I should like to have an answer from somebody to my question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better put down a question.

Mr. S. Satyamurti: It would not be reached, before the end of the Session.

The Honourable Sir Nripendra Sircar: What further answer does the Honourable Member want? The Honourable the Finance Member said he would consider it.

Mr. S. Satyamurti: This is as old as the hills. I am putting a simple question—whether Government do not consider it necessary to make the electoral rolls as complete as information in their possession makes it possible.

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member said that he will have the matter considered.

Mr. S. Satyamurti: Thank you, Sir.

SERVICE BOOKS OF GOVERNMENT SERVANTS.

581. ***Mr. N. V. Gadgil:** (a) Will Government be pleased to state whether a service book of a Government employee is his personal property, left in the custody of Government, and whether it is treated as a confidential record?

(b) Can the service book and official leave record of a Government employee be supplied to an outsider by any of the offices without knowledge and permission of the employee concerned?

(c) Is it a misuse if such a record is supplied to an outsider by any officers of Government?

(d) Can Government refuse to supply such record to an heir of an employee (deceased)? If so, under what rules of office procedure framed by Government?

The Honourable Sir Henry Craik: (a) A Service Book is a Government record and not the personal property of any individual. It is kept in the custody of the Head of the office and is thus treated as confidential.

(b) and (c). The Service Book should not be shown to any person outside the Government office in which the Government servant is for the time working or outside the Audit Office. It is shown to the Government servant himself for the purpose of seeing that it is correct.

(d) If application is made, Government would not ordinarily refuse to give the book to the heir of the Government servant.

Mr. Lalchand Navalrai: May I know from the Honourable Member how a Government servant is to know if any adverse remarks are made in the service book?

The Honourable Sir Henry Craik: Adverse remarks would be made in the character roll, which is a separate document.

REFUSAL OF PAYMENT OF PROVIDENT FUND AMOUNT TO A DECLARED NOMINEE OF A DECEASED SUBSCRIBER.

582. ***Mr. N. V. Gadgil:** (a) Will Government be pleased to state under what circumstances the Finance Department or any audit office of a Province can refuse payment of Government General Provident Fund amount to a declared nominee of a deceased subscriber to the fund?

(b) Under what rule or rules of the General Provident Fund can an audit office demand a succession certificate from such a nominee of a subscriber, when a declaration of the deceased subscriber had been accepted by an audit office?

(c) If the demand for a succession certificate by the Finance Department is looked upon as quite legal and justified, will Government be pleased to state why a provision of nomination is made at all in the Government General Provident Fund Rules, and what is the propriety then of a nomination?

The Honourable Sir James Grigg: (a) and (b). I invite the attention of the Honourable Member to rules 8, 31 and 32 (2) and Appendix D in the General Provident Fund (Central Services) Rules, and rules 10, 15 and 17 of the General Provident Fund Rules of 1929, copies of which are available in the Library. The former rules came into force with effect from the 1st April, 1934, and from that date supersede the latter rules in their application to persons subject to the rule-making powers and control of the Governor General in Council.

(c) Under the rules of 1929, the nomination became null and void from the date the subscriber quitted service. If the subscriber died after quitting service but before receiving his provident fund money, the amount at credit became part of his estate and could only be paid to his legal heir or heirs. Under the General Provident Fund (Central Services) Rules, however, the nomination holds good even although a subscriber dies after quitting service but before receiving his provident fund money.

POSITION OF STAFF RECRUITED AT THE ADVENT OF CREW SYSTEM ON RAILWAYS.

583. ***Mr. N. V. Gadgil:** Will Government be pleased to state:

- (a) whether the majority of the staff directly recruited at the advent of the crew system in 1928, are still considered as temporary and thereby deprived of the privileges of State Railway Provident Fund Contribution;
- (b) whether these staff, having passed the best part of their life in the working of this system, have become age barred and unfit to enter any other Government service;
- (c) whether the old ticket checking staff loaned to this system and working on higher grades which they earned during the life of this department, are still considered on temporary promotion in their home divisions, if returned, and are also not given the benefit of pass rules, since they are considered as officiating in these grades temporarily; and
- (d) The appointments of Train Conductors and Chief Inspector such as Train Conductors on Rs. 340, Chief Inspector Crews on Rs. 450, are filled by Anglo-Indian Transportation hands, thereby blocking the promotion of next lower grade Indian subordinates of the Commercial Branch?

The Honourable Sir Muhammad Zafrullah Khan: I presume the Honourable Member is referring to the Great Indian Peninsula Railway. If so, the reply is as follows:

- (a) Yes.
- (b) It is possible that a large number of the staff have passed the age at which candidates are usually recruited for service in other Government departments.
- (c) The permanent staff loaned to the Crew system and working in higher grades are considered as on temporary promotion; if any of them are returned to their home division they would be given the seniority and pay which they would have earned had they continued to work in their substantive posts. They are given passes permissible to them under the pass rules.
- (d) The appointments of Train Conductors and Chief Inspector, Crews, fall within the category of selection posts and promotion to these posts is made from among the existing staff considered to be the most suitable.

Mr. Lalchand Navalrai: May I know when these men will be given the benefits to which they are entitled when they go to their old places, and

The Honourable Sir Muhammad Zafrullah Khan: Well, they will be made permanent as soon as it is decided that a certain percentage of that category should become permanent.

ASSESSED INCOME FROM OUTSIDE INDIA AFTER THE AMENDMENT OF THE INDIAN INCOME-TAX ACT.

584. ***Mr. Sami Vencatachelam Ohetty:** (a) Will Government be pleased to state the assessed income from outside India after the Income-tax Act was amended, so as to include 'Property', and three years previous to the said amendment?

(b) Is it a fact that sales proceeds of properties in foreign countries by the citizens of this country are taxed when the same are remitted here? If so, why?

(c) Is income-tax levied on the savings of salaries and the wages earned by the Indian employees in foreign countries and brought by them when they come home?

Mr. A. H. Lloyd: (a) The information is not available.

(b) The question whether sale proceeds of properties owned by British Indian subjects in foreign countries are taxable will depend upon whether such sales form part of the business carried on in the foreign place. If the sale was in the course of the business, the surplus realised is profit taxable under section 4 (2) of the Indian Income-tax Act, 1922, when remitted to British India.

(c) Savings from salaries and wages earned, outside British India by British Indian employees, are taxable income of the year in which they are brought to British India, provided the employee is a resident in British India and the income does not fall under the first proviso to section 4 (2) of the Indian Income-tax Act, 1922.

UTILIZATION OF INDIGENOUS SYSTEM OF MEDICINES.

585. ***Sardar Sant Singh:** (a) Will Government please state in detail all the steps taken by the Government of India directly and indirectly to promote the utilization of indigenous systems of medicines in India after the adoption of the resolution on the subject by Rai Sahib Lakshmi Narayan Lal by the Legislative Assembly on the 12th January, 1922?

(b) What grants-in-aid were given by the Government of India or other bodies to the different Colleges for training in Ayurvedic and Unani systems in India, *e.g.*, Tibbia College, Delhi, and other similar institutions in India since 1922? If none, why not? If so, how much amount was paid each year in each case?

(c) Have Government opened any dispensary of their own for the benefit of their staff, which ever since 1922 consists mostly of Indians and are Government aware that they prefer Ayurvedic or Unani treatment? If not, do Government now propose to open a hospital of indigenous medicines on a large scale under most learned and capable Vaid and Hakims at New Delhi, so as to make that a most central institution in India for the benefit of both Government employees and the public at

Sir Girja Shankar Bajpai: (a) The Government of India have shown an active interest in indigenous systems of medicine by financing investigations by pharmacologists into the action of indigenous medicines. Over two lakhs of rupees have been spent during the last eleven years on these investigations which are being continued

(b) The Government of India have not considered it necessary to give such grants which, considering the constitutional position could only have been given to institutions in directly administered areas. They have no information relating to grants by other bodies

(c) Government have made adequate arrangements for the medical treatment of their employees. Ayurvedic and Unani dispensaries under municipal control exist in New Delhi and Simla. The answer to the second part is in the negative. The difficulties are primarily financial.

GOVERNMENT SERVANTS DECLARED INSOLVENT OR WHOSE SALARIES HAVE BEEN ATTACHED IN OFFICES UNDER THE GOVERNMENT OF INDIA.

586. ***Sardar Sant Singh:** (a) Will Government be pleased to state the names of Government servants who were declared insolvent or whose salaries have been attached during the last three years in the following offices:

- (1) the Civil Aviation Department,
- (2) the Department of Industries and Labour,
- (3) the Indian Stores Department,
- (4) all the branches of the Central Public Works Department.
and
- (5) other Departments,

giving in every case the pay of the Government servants, the total sum of attachments and the monthly deductions made from their pay?

(b) Will Government be pleased to state if the pay of any of such officials has been constantly under attachment for a period exceeding two years?

(c) Will Government be pleased to state if the pay of any of such officials is attached for a sum which in ordinary circumstances cannot be repaid within a period of two years?

(d) Are Government aware that in the above circumstances of the case, a Government servant is liable to be dealt with under Government Servants' Conduct Rules? If so, who has been dealt with and in what way?

(e) Will Government also be pleased to state what punishment other than dismissal is awarded in respect of further grant of increment or promotion, etc., to such Government servants who are retained in service?

(f) Are Government aware of the fact that such cases of insolvency or indebtedness are liable to set bad examples for younger incumbents and tend to promote similar action by other Government servants? Are the juniors who honestly work all round given pre-

The Honourable Sir Henry Craik: (a), (b) and (c). Government regret that the required information is not available and cannot be obtained without an undue expenditure of time and labour.

(d) The Government are aware of this; but as I have just stated, the information is not available.

(e) Each case has to be dealt with on its merits, and the action taken will depend largely on the circumstances in which the debts were incurred.

(f) The answer to be given to the first part of the question is a matter of opinion. As regards the second part, I can only say in general terms that good and honest work on the part of juniors is naturally taken into account for purposes of promotion.

APPOINTMENT OF INDIANS AS CARETAKERS OF GOVERNMENT BUILDINGS IN NEW DELHI AND SIMLA.

587. **Sardar Sant Singh:** Are Government aware that questions have been asked in this House in the past as to why no Indian has been appointed as Caretaker either of the Secretariat Buildings or the Council House Buildings, New Delhi or the Gorton Castle, Simla, up till now? If so, what action did they take for appointment of Indians to such posts? If no action has been taken so far, why not?

The Honourable Sir Frank Noyce: Yes. Of five posts of caretaker in the Central Public Works Department two are already held by Indians. The caretaker of Gorton Castle and the Railway Board buildings, Simla, retired towards the end of last year and it is proposed to appoint an Indian in the vacancy, which is the first which has occurred for some years.

APPOINTMENT OF A SIKH ON THE PERSONAL STAFF OF HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

588. ***Sardar Sant Singh:** (a) Are Government aware that on the personal staff of His Excellency the Commander-in-Chief in India, the following ministerial appointments have been held by Muhammadans only to the total exclusion of the majority community and other minority communities:

(1) Household Superintendent.

(2) Stenographer for A. M. S. (P.), or the Commander-in-Chief,

(3) Assistant Cashier, A. M. S. (P.)?

(b) When was each of these appointments created and what pay and allowances, separately, are given to each of them?

(c) Did the military authorities take into any consideration the claims of other communities while making all these appointments in the past? If so, in what way? If not, why not?

(d) Is it not the set policy of Government to avoid preponderance of any one community in a service and that too of only one minority community? If so, how do Government justify the present composition of the existing ministerial personal staff which the military authorities have now got on the staff of His Excellency the Commander-in-Chief and

(e) Was there any Sikh application for any of the appointments in question when each of these was filled up in the past? If so, what were their names and qualifications and were their claims considered? If not, why not?

(f) Do Government propose to appoint a Sikh also on the staff of His Excellency the Commander-in-Chief in India in a vacancy that may fall vacant hereafter? If not, why and will that be in accordance with the Home Department's orders in regard to the removal of communal inequalities in the services? If so, how?

Mr. G. R. F. Tottenham: (a) to (f). Two out of the three appointments to which the Honourable Member refers were made long before Government had issued orders about communal representation in Government offices. There is no reason to believe that these rules will not be borne in mind in filling any future vacancies that may arise

HOLIDAYS IN THE GOVERNMENT OF INDIA OFFICES ON ACCOUNT OF GURU GOVIND SINGH'S BIRTHDAY AND GURU TEGH BAHADUR'S MARTYRDOM DAY.

589. ***Sardar Sant Singh:** Are Government prepared to add to the holidays of the Government of India, the holidays on account of Guru Govind Singh's Birthday and Guru Tegh Bahadur's martyrdom day? If not, what are the difficulties or reasons?

The Honourable Sir Henry Craik: Sectional holidays are given on account of Guru Govind Singh's birthday and Guru Tegh Bahadur's martyrdom day. If the Honourable Member's intention is that these days shall be declared to be general holidays, the reply is that the Government see no necessity for it.

SERVANTS' GODOWNS IN UNORTHODOX QUARTERS IN SIMLA.

590. ***Sardar Sant Singh:** (a) Is it a fact that the 'C' class unorthodox quarters in Kaithu are provided with three servants' godowns, whereas 'C' class tenants in Summer Hill unorthodox quarters are provided with one servants' godown? If so, what is the reason for this differentiation?

(b) Will Government be pleased to state the number of servants' godowns provided for 'B' class and 'A' class unorthodox quarters in Kaithu and Tuti Kandi and the number of servants' godowns provided for the tenants of the same class of quarters in Summer Hill?

(c) Will Government be pleased to state the reasons why men drawing Rs. 300 to 600 but living in Summer Hill quarters, are provided with one or two servants' godowns whereas men drawing less than Rs. 300 are provided with three godowns in Kaithu?

(d) Will Government be pleased to state whether at the time of building the Summer Hill quarters this point was considered? If not, why not?

(e) Do Government propose to rectify these mistakes by allotting at least two godowns to 'B' class Summer Hill quarters and three godowns

and hardships of such tenants for want of accommodation for their servants? If not, do they propose to enquire into the matter? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes. The Kaithu quarters were constructed 50 years ago when it was customary to provide more servants' quarters than it is now.

(b) The number of servants' quarters provided for 'A' and 'B' class unorthodox quarters in Kaithu, Tutikandi and Summer Hill is as follows:

Kaithu—'A' class 4, 'B' class 4.

Tutikandi—'A' class 5 or 6, 'B' class 6.

Summer Hill—'A' class 2, 'B' class 1.

(c) The attention of the Honourable Member is invited to the reply given to part (a) above.

(d) Yes. The second part does not arise.

(e) No. The suggestion would involve very considerable expenditure and substantial increases in rents.

CHANGE OF CLASSIFICATION OF QUARTERS FROM UNORTHODOX TO ORTHODOX BY THE SECRETARIAT STAFF.

591. ***Sardar Sant Singh:** (a) Will Government be pleased to state the number of men of the Secretariat Departments under the new rates of house rent or men of other offices entitled to get house rent, who have changed their classification from unorthodox to orthodox during the last two years and the present year?

(b) Are Government aware that a large number of men are changing their classification owing to the several disadvantages that they are put to by living in Summer Hill?

The Honourable Sir Frank Noyce: (a) Eleven during the last two years and seven during the current year.

(b) No.

INCONVENIENCE FELT BY PERSONS ELECTING UNORTHODOX TYPE OF QUARTERS IN SIMLA.

592. ***Sardar Sant Singh:** Is it a fact that a large number of men under the new rates of house rent, who have elected orthodox types, cannot be provided with orthodox quarters and therefore they can draw increased house rent and make private arrangements of houses and that the unorthodox men are not allowed this option.

The Honourable Sir Frank Noyce: All Government servants who draw house allowance at the new rates must accept the accommodation allotted to them or forgo the allowance. The demand for orthodox quarters exceeds the supply. The supply of unorthodox quarters, on the other hand, is adequate for the demand. It follows that more "orthodox" than "unorthodox" clerks make private arrangements for accommodation and

SCRUTINY OF ALLOTMENT RULES OF GOVERNMENT QUARTERS IN DELHI AND SIMLA.

593. ***Sardar Sant Singh:** (a) Are Government aware that men of the attached offices and subordinate offices, getting lower salaries only, are electing unorthodox classification in order to get better accommodation by paying a nominal rent of Rs. 5 to Rs. 15 a month?

(b) Are there any cases in the case of officers' quarters in Simla where Under Secretaries have been provided with Secretaries' quarters or Superintendents have been provided with quarters meant for Under Secretaries and Deputy Secretaries?

(c) If there are no such instances why, in the case of the clerks' unorthodox quarters only, have men with Rs. 50 or 60 been provided with 'A' class accommodation over-riding the claims of senior men in service, in pay and who are foregoing as much as Rs. 400 and 450 a year by way of house rent for lower types of quarters?

(d) Do Government propose to appoint a committee consisting of officials and non-officials by which the allotment rules of Government quarters in Simla and Delhi may be scrutinised for the purposes of making the Government estates in Simla and Delhi to yield a suitable return on the capital invested on such estates? If not, why not?

The Honourable Sir Frank Noyce: (a) and (b). No.

(c) I would refer the Honourable Member to the reply given on the 26th September, 1935, to Babu Baijnath Bajoria's starred question No. 705.

(d) No. Government see no reason for the appointment of a committee.

CONSTRUCTION OF THE NEW HOWRAH BRIDGE.

594. ***Sardar Sant Singh:** Has the attention of Government been drawn to the United Press message published in the *Forward*, dated the 17th August, 1935, under the title "New Howrah Bridge, Indo-British Combine"? If so, will Government be pleased to state whether there is any truth in the statement?

The Honourable Sir Muhammad Zafrullah Khan: Government has seen the United Press message referred to, and have no reason to suppose that it did not adequately summarise the views at the time of the *Bombay Chronicle*. They are not in a position to confirm the correctness of those views.

RECRUITMENT OF CERTAIN CASTES OF SIKHS IN THE ARMY.

595. ***Sardar Sant Singh:** (a) Will Government please state the names of the castes of Sikhs (non-Jats) which till recently used to supply recruits (soldiers, etc.) for the Indian Army?

(b) What are the names of the Regiments—Infantry and Cavalry, separately—in which recruits from such castes of Sikhs used to be taken?

(c) When was the recruitment of such castes of Sikhs in the ranks stopped in each of these regiments and under whose orders?

(d) What were the circumstances which led to the stoppage of the recruitment of these classes to the Indian Army?

(e) Will Government please place a statement on the table showing the number of soldiers and the names of the officers belonging to such Sikh castes which fought during the Great War and on other occasions?

(f) Are Government aware that many of them had won extraordinary distinctions in the Great and other Wars and many of such officers and soldiers have since retired and others are yet serving the Government to the entire satisfaction of their respective Officers Commanding?

(g) Are Government aware that in good old days the Kshatryas or Khattris, which included Khatri Sikhs also, was the sect which used to be classed as warrior or martial race?

(h) Do Government propose to take steps to open the recruitment to the members of Khatri Sikhs and other such castes which used to enlist previously? If not, why not?

(i) Do Government also propose to raise their separate regiments and give some befitting names also? If not, why not?

Mr. G. R. F. Tottenham: (a) and (b). I lay a statement on the table.

(c) and (d). The recruitment of non-Jat Sikhs has never been stopped, but the reduction in the number of units authorised to recruit them was necessitated by the all round reduction in the Indian Army which was a feature of the post-war re-organisation.

(e) The number of non-Jat Sikhs serving in the Indian Army on the 1st January, 1918, was 16,983. The number serving on the 1st January, 1935, was 4,400. Details regarding the names of the officers are not available.

(f) Yes.

(g) Government are aware that Kshatryas were the Hindu warrior class.

(h) and (i). The Honourable Member's attention is invited to the replies I gave to parts (d) and (g) of his starred question No. 437 on the 17th September, 1935.

Statement.

(a) All sub-classes of Sikhs viz., Khattris, Labanas, Mahtons (Rajput), Kambohs, Sainis, Ahluwalias, Jhiwars, Brahmans, Tarkhans and Tirah Sikhs, except Mazhbis and Ramdassias who are specifically authorised for recruitment in certain units, have been, and are now, eligible for recruitment in units authorised to recruit "Sikhs (other than Jat Sikhs)"

(b) During the Great War non-Jat Sikhs were authorised for recruitment in the following Cavalry, Infantry and Pioneer units:

| | | |
|------------------------------|-----|---|
| <i>Cavalry</i> | ... | 6th K. G. O. Cavalry. |
| <i>Infantry and Pioneers</i> | ... | 1/12th Pioneers. 46th Punjabis. 48th Pioneers. 1/67th Punjabis. 69th Punjabis. 74th Punjabis. 1/107th Pioneers. 124th Baluchistan Infantry. 126th Baluchistan Infantry. 128th Pioneers |

Under the post-war organization of the Indian Army the following units are authorised to recruit non-Jat Sikhs :

Cavalry .. Nil.

Infantry 2nd Punjab Regiment (5 battalions in all)

In addition to the above unit, non-Jat Sikhs are also eligible for recruitment in 20 Machine Gun Platoons of British Infantry and in the undermentioned Artillery units :

5th Field Brigade.
6th Field Brigade
25th Field Brigade.
2nd Light Battery.
17th Light Battery.
11th Mountain Battery
16th Mountain Battery.
18th Mountain Battery.

REALISATION OF FINES FROM THE STAFF OF THE POSTS AND TELEGRAPHS DEPARTMENT.

596. ***Sardar Sant Singh:** (a) With reference to the answer to starred question No. 464 of Mr. Abdul Latif Sahab Farookhi on the 25th August, 1927, will Government please state the amount of fines realised from the staff of the Posts and the Telegraphs Department (separately) during the year 1934-35?

(b) Will Government please state the decision in the matter of instituting a Fine Fund, which was stated to be under consideration?

The Honourable Sir Frank Noyce: (a) Except with regard to piece-workers and daily labourers in the Telegraph Workshops at Alipore, Calcutta, fines are no longer a recognised form of punishment in the Posts and Telegraphs Department. A Fines Fund has been constituted in the Telegraph Workshops and the amounts credited were Rs. 1,150 in the calendar year 1934 and Rs. 1,197 in 1935.

(b) Does not arise.

REDUCTION IN THE PIE-MONEY AND THE OVERTIME ALLOWANCES OF THE STAFF IN THE TELEGRAPH DEPARTMENT.

597. ***Sardar Sant Singh:** (a) Is it a fact that pie-money and overtime allowances of the staff employed in the Telegraphs Department are reduced occasionally?

(b) If the reply to part (a) be in the affirmative, will Government place on the table a copy of the order or rules authorising such reductions and state the circumstances under which these are enforced?

(c) Will Government please place on the table a statement showing the amount deducted from the overtime and pie-money allowances of the staff of the Telegraphs Department during the last seven years?

The Honourable Sir Frank Noyce: (a) The rules permit of the reduction in whole or part, of pie-money in certain cases, but there are no similar rules in regard to over-time allowance.

(b) A copy of the rule referred to in the reply to part (a) above is placed on the table.

(c) Government regret that information is not available nor are they prepared to collect it in view of the inordinate expenditure of time and labour which would be involved.

Extract of Rule 87 of the Posts and Telegraphs Manual, Volume IX.

Heads of offices are allowed a wide discretion in passing the pie-money earnings of the staff. In the case of inaccurate work the pie-money earnings may be retrenched in whole or in part

**RECOVERIES FROM CLERKS OF THE CENTRAL TELEGRAPH OFFICE, CALCUTTA,
ON ACCOUNT OF UNDER-CHARGES ON TELEGRAMS.**

598. ***Sardar Sant Singh:** Will Government please state the amount of recoveries made from the clerks of the Central Telegraph Office, Calcutta, during the year 1934-35, on account of under-charges on telegrams booked by them?

The Honourable Sir Frank Noyce: It is regretted it is not possible to supply the required information as no account is kept in telegraph offices of the total amounts recovered from clerks in any year on account of under-charges.

INFERIOR STAFF OF THE CENTRAL TELEGRAPH OFFICE, CALCUTTA.

599. ***Sardar Sant Singh:** (a) Is it a fact that the employees of the superior service of the Posts and Telegraphs Department were allowed the option to remain either under Civil Service Regulations or Fundamental Rules in the matter of their leave?

(b) Is it a fact that the inferior staff of the Central Telegraph Office, Calcutta, were compulsorily brought twice under the Civil Service Regulations and thereafter under Fundamental Rules, in the matter of their leave?

(c) Is it also a fact that the inferior staff of the Central Telegraph Office, Calcutta, were neither allowed any option, nor given any information while bringing them twice under the Civil Service Regulations and thereafter under the Fundamental Rules in the matter of their leave?

(d) Is it a fact that as a result of the operation of different rules, referred to in parts (b) and (c), a heavy recovery was made from the salary of the staff of the inferior establishment of the Central Telegraph Office, Calcutta, on account of alleged over-drawn leave allowance?

(e) If the replies to parts (a), (b), (c) and (d) above be in the affirmative, do Government propose to order a refund of the over-drawn leave allowance? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The facts of the case are that the staff referred to which was subject to the leave rules under the Civil Service Regulations was brought under the Fundamental Rules on their introduction in 1922. In 1923 it was wrongly brought again under the Civil Service Regulations, but in 1927 this mistake was rectified at the instance of the Deputy Accountant General and it was again brought under the Fundamental Rules.

(c) Yes, except that as already stated it was brought under the Civil Service Regulations only once after the introduction of the Fundamental Rules.

(d) The leave allowance actually overdrawn was recovered but the recoveries were not unduly heavy and were effected by easy instalments.

(e) No, for the reasons stated in reply to part (d).

REVISED SCALES OF PAY OF TELEGRAPHISTS OF THE NEW CIRCLE SERVICE.

600. ***Sardar Sant Singh:** (a) Will Government be pleased to refer to the Special General Circular No 37, dated the 11th March, 1935, of the Director General of Posts and Telegraphs on the revised rates of pay, and state whether it is a fact that the initial pay of the departmental telegraphists of the new Circle Service, second grade clerk and postal signallers of the Department is the same, *viz.*, Rs. 45?

(b) Will Government please state whether liability to transfer within the Circle has been made an additional condition of service of the new Circle Service telegraphists with reduced scales of pay?

(c) Will Government be pleased to refer to the reply given to question No. 922, dated the 21st March, 1935, by Mr. D. K. Lahiri (Chaudhury) and state whether it was admitted that the "Departmental telegraphists were given a better scale of pay in recognition of the fact that they are required to possess a higher degree of operative skill and technical attainment than postal clerks or signallers and that the Government do not therefore consider that there is any case for equalizing the scales of pay"?

(d) If the replies to parts (a), (b) and (c) be in the affirmative, are Government prepared to review the question and grant a better scale of pay to the departmental telegraphists of the new Circle Service, as hitherto done in the case of the Station Service telegraphists? If not, why not?

The Honourable Sir Frank Noyce: (a) The starting pay for departmental telegraphists of the new Circle Service and for second grade clerks, including postal signallers, is the same only at the places included in Group A mentioned in the Memorandum issued with the Director-General's special circular referred to by the Honourable Member. In all other places the starting pay for departmental telegraphists is higher than that for second grade clerks, including postal signallers. I may, however, add, for the Honourable Member's information, that the maximum of the scale for departmental telegraphists is much higher than that for second grade clerks, including postal signallers.

(b) Liability to transfer within the Circle is a condition attaching to recruitment for the Circle Service for telegraphists. As this is a new service no question of an additional condition arises.

(c) Yes.

(d) Government are not prepared to review the question in view of the reply given to part (a) above.

GRIEVANCES OF THE STATION SERVICE TELEGRAPHISTS OF THE KARACHI CENTRAL TELEGRAPH OFFICE.

601. ***Sardar Sant Singh:** (a) Is it a fact that when the Station Service of the Indian Posts and Telegraphs Department was introduced in 1920, there was no difference in the scales of pay of telegraphists recruited to this service at Bombay, Calcutta, Rangoon, Karachi and Madras?

(b) Is it a fact that when the pay of the Station Service telegraphists at Bombay, Calcutta and Rangoon was revised and enhanced in 1927-28, the pay of this class of employees at Karachi was not enhanced?

(c) Is it a fact that the aggrieved officials were told in reply to their appeals to Government that their pay had conformed with that of the time-scale clerks of the Karachi Central Telegraph Office?

(d) Is it a fact that a compensatory allowance was sanctioned in 1930 for the time-scale clerks of the Karachi Central Telegraph Office?

(e) If the replies to parts (a), (b), (c) and (d) be in the affirmative, are Government prepared to remedy the grievance of the Station Service telegraphists of the Karachi Central Telegraph Office, by sanctioning with retrospective effect either the revised scales of pay granted to the Station Service telegraphists of Calcutta, Bombay and Rangoon in 1927-28, or the compensatory allowance granted to the time-scale clerks of the Karachi Central Telegraph Office in 1930? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Yes, except that the revision of the rates for Rangoon, Bombay and Calcutta took place in 1926-27 and not in 1927-28.

(c) No.

(d) Yes.

(e) Government do not admit that the station service telegraphists at Karachi have any grievance since their emoluments are higher than those of the postal and telegraph clerks at Karachi even when the compensatory allowances drawn by the latter are taken into consideration. Government are not, therefore, prepared to adopt either of the suggestions made by the Honourable Member.

OVER-TIME WORK DONE BY TELEGRAPHISTS AND POSTAL CLERKS.

602. ***Sardar Sant Singh:** (a) Will Government be pleased to state if there is any rule or order prescribing the limit up to which a telegraphist or a clerk of the Indian Posts and Telegraphs Department can be compelled to do over-time duty?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to quote the same?

(c) If the reply to part (a) be in the negative, will Government be pleased to make it a rule by which no telegraphist or clerk may be compelled to do more than two hours of over-time work? If not, why not?

(d) Are Government aware that the health of telegraphists and clerks in the Indian Telegraphs Department is likely to suffer seriously if they are compelled to do more than two hours' over-time at a stretch?

The Honourable Sir Frank Noyce: (a) No.

(b) Does not arise.

(c) Government are unable to accept the suggestion. Overtime is not a regular feature of a telegraphist's work. The prescription of a time limit for it might on occasion cause serious administrative inconvenience.

(d) No.

GRANT OF PENSIONARY STATUS OR BENEFITS OF PROVIDENT FUND AND GRATUITY TO TELEPHONE OPERATORS.

603. ***Sardar Sant Singh:** (a) Is it a fact that of all branches of the Posts and Telegraphs Department, only the Telephone Branch is making profits every year since 1928-29?

(b) Is it a fact that the posts of telephone operators are non-pensionable and do not carry any gratuity or Provident Fund?

(c) Is it a fact that the subordinate employees on the State Railways enjoy the benefits of contributory provident fund and gratuity?

(d) If the replies to parts (a), (b) and (c) be in the affirmative, do Government propose to grant either the pensionary status or the benefits of contributory provident fund and gratuity to the telephone operators? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes, except during the year 1930-31 in which there was a loss.

(b) The fact is as stated by the Honourable Member except that the services of those telephone operators who were holding permanent posts substantively on the 8th of July, 1919, are pensionable.

(c) Yes.

(d) The matter is under consideration.

EXAMINATION FOR PROMOTION OF POSTAL CLERKS TO SELECTION GRADES.

604. ***Sardar Sant Singh:** (a) Will Government please state the total number of clerks employed in Posts and Telegraphs, respectively, and the number of selection grade (upper and lower) appointments allotted to each separately?

(b) Is it a fact that examinations for promotion of clerks to selection grades have been abolished?

(c) Do Government propose to revive the examination? If not, will Government please state what procedure will be followed for selection of best men for promotion to selection grade appointments in order to maintain departmental efficiency?

(d) Are Government aware that junior clerks, recruited after 1918 prefer the examination, while their seniors do not like it? If so, do Government propose to adopt a strict method of selection by which really capable hands may get full opportunity to rise higher and retain efficiency of the department without at the same time giving any loophole for favouritism whatsoever?

The Honourable Sir Frank Noyce: (a) On the 28th February, 1935, the latest date for which information is at present available, the total number of clerical staff was 28,010 in the Postal Branch and 1,942 in the Telegraph Branch. The number of selection grade appointments was 1,492 and 79 respectively.

(b) Yes.

(c) The reply to the first part is in the negative. As regards the second part, promotion to selection grade appointments is made by selection based on an officer's fitness and seniority.

(d) Government have no information. The second part of the question does not arise.

COST OF MAINTENANCE OF TELEGRAPH LINES.

605. ***Sardar Sant Singh:** Will Government be pleased to state which department bears the cost of maintenance of telegraph lines and other charges for the Engineering staff required to keep them in working order in the Railways, Postal Combined offices, Indian States, etc.?

The Honourable Sir Frank Noyce: The Indian Posts and Telegraphs Department bears the cost of maintenance of all telegraph lines which it erects and maintains.

POSTAL AND TELEGRAPH CONCESSIONS IN RATES ALLOWED TO DIFFERENT PARTIES.

606. ***Sardar Sant Singh:** Will Government please state the nature of concessions in rates allowed to different parties (Railways, Indian States, Governments, public, etc.), including the Press rates, code words, delivery in a lot to the same address at the same time under charge of messages, etc., etc., and quote rules therefor?

The Honourable Sir Frank Noyce: I would refer the Honourable Member to Sections X, XXII and XXIV of the latest edition of the Post and Telegraph Guide, that issued in April, 1935, a copy of which is in the Library of the House and in which he will find full information regarding telegraphs and telegraph charges.

AMALGAMATION OF THE POSTS AND TELEGRAPHS DEPARTMENT.

607. ***Sardar Sant Singh:** (a) Will Government please state whether the amalgamation of Posts and Telegraphs, including Phone and Engineering (proper), under one Director General and Postmaster General, was effected as an experimental measure?

(b) If so, for what period? If not, why do Government maintain different accounts of these two branches, entailing extra cost in keeping accounts, etc.?

The Honourable Sir Frank Noyce: (a) No.

(b) The first part does not arise. As for the last part, separate accounts are maintained in order that the financial results of the working of the constituent branches may be ascertained. No extra cost is involved in maintaining such accounts.

CONVERSION OF DEPARTMENTAL TELEGRAPH OFFICES INTO COMBINED
POST OFFICES.

608. ***Sardar Sant Singh:** Is it a fact that the policy of the Government is ultimately to convert all departmental telegraph offices into combined Post Offices? If not, will Government please state the names of the departmental telegraph offices which will not be so converted and why?

The Honourable Sir Frank Noyce: The reply to the first part is in the negative.

As regards the second part, the question of conversion is decided in each case on financial and administrative considerations. It is not possible, therefore, to state definitely which telegraph offices will not be converted.

EXAMINATIONS OF TELEGRAPHISTS FOR THE PURPOSE OF INCREMENTS.

609. ***Sardar Sant Singh:** (a) Will Government please state the different stages at which telegraphists are required to appear at examinations for the purpose of increments?

(b) Is it a fact that postal signallers have no incremental examinations? If so, do Government propose to consider its desirability? If not, why not?

(c) Will Government state the names of services in which incremental examinations prevail and the stages thereof?

The Honourable Sir Frank Noyce: (a) General and Local Service telegraphists are required to appear at examinations for the purposes of increments every year during the first five years of their service and, thereafter, in the tenth year of service and again before passing the efficiency bar at the fifteenth year of service.

Station Service telegraphists are required to appear at similar examinations every year during the first five years of their service and, thereafter, before passing the efficiency bar at the tenth year of service and again in the 15th year of service.

(b) Postal signallers are not required to pass incremental examinations in signalling like telegraphists. Government consider it unnecessary to prescribe such examinations for postal signallers as they only perform signalling work for part of their time and work on the comparatively less important telegraph circuits.

(c) In the Posts and Telegraphs Department incremental examinations are prescribed in the case of Wireless Operators and Engineering Supervisors. Wireless Operators are required to pass incremental examinations every year during the first five years of service and, thereafter, in the tenth year and again before passing the efficiency bar at the fifteenth year of service.

Engineering Supervisors are required to pass a signalling test annually during the first five years of their service for the purpose of increments and thereafter a technical examination once only at any time before passing the efficiency bar at the 20th year of service.

DUTIES OF INSPECTORS OF POST OFFICES AND INSPECTORS OF PEONS OF TELEGRAPH OFFICES IN CALCUTTA.

610. ***Sardar Sant Singh:** (a) With reference to the answer to unstarred question No. 269 of Mr. S. C. Mitra, M.L.A., of 29th March, 1932, will Government be pleased to place on the table a list of duties performed by the Town Inspectors of Post Offices in Calcutta and also Inspectors of Peons of Telegraph Offices?

(b) In what respect do the duties of Inspectors of Peons of Telegraphs differ from those of Inspectors of Post Offices, so far as the outdoor duty is concerned?

(c) Is it a fact that the Postal Inspectors were also supplied with cycles at the beginning?

(d) Is it a fact that they were subsequently granted conveyance allowance?

(e) Is it a fact that the attached officers in the Central Telegraph Office, Calcutta and other Inspecting S. T. Ts. in Postmaster General's Office in Calcutta get conveyance allowance for inspection of local or combined offices? If so, will Government please state the rate of such allowance drawn by them?

The Honourable Sir Frank Noyce: (a) and (b). Generally speaking, Inspectors of Peons are attached to the larger Telegraph Offices to supervise the delivery work of the Telegraph Peons; Town Inspectors of Post Offices in addition to supervising the work of postmen and of other postal subordinates working outside the post office also supervise and inspect the working of town sub-offices and make inquiries into complaints entrusted to them.

(c) So far as Government are aware, this was not the case.

(d) Town Inspectors are granted conveyance allowance.

(e) The reply to the first part is in the negative, the second part does not arise.

GRANT OF HOLIDAYS TO THE TELEPHONE OPERATORS.

611. ***Sardar Sant Singh:** With reference to the answer to unstarred question No. 86 of Mr. S. G. Jog on 20th August, 1934, will the Honourable Member in Charge of Industries and Labour Department please state if any decision has yet been arrived at regarding the grant of holidays to the telephone operators? If so, will Government please place on the table a copy of the orders?

The Honourable Sir Frank Noyce: Yes. A copy of the orders is laid on the table.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

From

The Director-General of Posts and Telegraphs,

To

All Postmasters General, and
The Director of Posts and Telegraphs.
Sind and Baluchistan Circle, Karachi.

No. ESA-99/34(3), dated New Delhi, the 6th February, 1936.

SUBJECT :—*Grant of holiday on offs to Telephone Operators.*

Sir,

With reference to your reply to this office letter No. Es.A.-99/34(3), dated the 25th March, 1935, I am directed to say that the Director-General has noticed that in certain exchanges Telephone Operators do not at present enjoy any holiday throughout the year like officials of other branches of the Department. In order to remove this grievance the Director-General is pleased to order that the following measures shall be adopted in Telephone Exchanges with effect from the date mentioned below :

- (a) Telephone Exchanges with only one 'position' which work for 24 hours, should be manned by four Telephone Operators and not three Telephone Operators as at present. The extra staff which would be necessary by the adoption of the above measure, should be employed with effect from the 1st March, 1936, or earliest date thereafter.
2. In regard to the other Telephone Exchanges in which there is only one 'position' and which are at present manned by four Telephone Operators, the Director-General thinks that there should be no difficulty in arranging for offs for Telephone Operators. In such exchanges every Telephone operator ought to get one Sunday off each month, and if the men are required to do 50 hours' work per week, there should be no difficulty about short offs during the week. The Director-General sees no reason why the duties of the Telephone Operators in such exchanges cannot be so fixed that they do only 42 hours work per week.
3. The extra posts of Telephone Operators which would be necessary by the adoption of the measures at 1(a) above, should be in the 2nd grade of the new revised scales of pay.
4. From henceforth the practice of employing less than four operators in a manual exchange, open from 0 to 24 hours, is absolutely prohibited except with the special orders of the Director-General in each case.

I have the honour to be,
Sir,

Your most obedient servant,

J. R. BOOTH,

Senior Deputy Director-General.

The 6th February 1936.

POSITION OF THE POSTS AND TELEGRAPHS DEPARTMENT.

612. *Sardar Sant Singh: (a) Is it a fact that the Posts and Telegraphs Department was formerly treated as a public utility department?

(b) Is it a fact that the policy of Government has since undergone a change and the said Department is now declared as a commercial department?

(c) If the reply to part (b) be in the affirmative, are Government prepared to observe all bank holidays as holidays of this Department in respect of dealings with the public and notify accordingly? If not, why not?

The Honourable Sir Frank Noyce: (a) and (b). The Posts and Telegraphs Department has always been regarded as a public utility department which should at the same time pay its own way. Its accounts are now maintained on a commercial basis.

(c) Government are not prepared to direct that all Bank holidays should be observed as holidays for post and telegraph offices as to do so would cause serious inconvenience to the public.

REDUCTION OF THE HOURS OF DUTY OF TELEGRAPHISTS AND SIGNAL ROOM CLERKS.

613. ***Sardar Sant Singh:** (a) With reference to the answer given on the 13th March, 1933, to unstarred question No. 100 by Mr. Rameshwar Prasad Bagla, will Government be pleased to state:

(i) the conditions of service in continental signal offices and the reasons why they are not the same as in India,

(ii) the result of Government's enquiry as to the percentage of staff brought on night duty, and whether there has been no increase on the percentage recommended by the Maxwell Committee?

(b) Will Government be pleased to state the recommendation of the Geneva Conference on the question of reduction of duty hours and the decision of Government thereon?

(c) Do Government propose to institute an independent enquiry in India with a view to reducing the hours of duty of the employees, to solve the question of unemployment or to give partial relief to the present men by introducing 40 hours' week instead of 54 as now? If not, why not?

The Honourable Sir Frank Noyce: (a) In regard to the first part of item (i), Government have no precise information. The last part, therefore, does not arise. As for item (ii), the Honourable Member is referred to the reply given by the late Sir Thomas Ryan to part (d) of Mr. Rameshwar Prasad Bagla's unstarred question No. 100 in this House on the 13th March, 1933.

(b) I am not aware of any recommendation bearing closely on the question of hours of work for signallers, but I presume that the Honourable Member has in mind the draft convention embodying the principle of a 40-hour week which was adopted by the International Labour Conference in June, 1935, and which has so far been supplemented only by a draft convention relating to Glass-bottle works. Government propose to place these Conventions before this House in the course of this Session, when they will explain their attitude.

(c) No, for the reasons indicated in reply to part (b).

HOUSING ACCOMMODATION FOR TELEGRAPH STAFF NEAR TELEGRAPH OFFICES.

614. ***Sardar Sant Singh:** (a) Is it a fact that the employees of the Telegraph Department have got to attend to their duties at all periods during day and night, and are required to stay as close to their offices as possible, often on payment of exorbitant house rents?

(b) Is it also a fact that even in cases of General Service Telegraph Masters and Telegraphists, out-of-turn transfers have sometimes to be resorted to owing to absence of suitable quarters in particular places?

(c) If the reply to parts (a) and (b) be in the affirmative, are Government prepared to provide all the telegraph staff with suitable housing accommodation close to the Departmental Telegraph Offices? If not, why not?

The Honourable Sir Frank Noyce: (a) The reply to the first part is in the affirmative. As regards the second part, it is a fact that such employees are expected to live sufficiently near the telegraph office for their services to be available when needed, but Government have no reason to suppose that they have to pay exorbitant rents in order to do so.

(b) Yes, sometimes.

(c) Government are unable to accept the suggestion as the cost would be prohibitive.

MAINTENANCE OF DIFFERENT ACCOUNTS OF POSTS AND TELEGRAPH BRANCHES..

615. ***Sardar Sant Singh:** (a) With reference to the answer to starred question No. 1060, dated the 21st November, 1933, by Pandit Satyendra Nath Sen, M.L.A., will Government please state the reason for maintaining different accounts of Posts and Telegraphs?

(b) Are these two Branches under one Department? If so, will Government state the necessity of maintaining separate accounts?

(c) Are Government aware that in view of the maintenance of such separate accounts, an antagonistic feeling is growing between the Postal and Telegraph employees?

(d) Will Government please state the origin of the system of maintaining such separate accounts?

(e) Will Government please state if they have considered whether it will not be economical if all the combined post offices in a town are kept in charge of a qualified Telegraph Master trained in postal work?

(f) Is it a fact that Postal Head Clerks are trained in telegraphy to be able to supervise over the signallers' work?

(g) If the reply to part (f) be in the affirmative, are Government prepared to consider if similar opportunities should not be given to the Telegraph Masters to learn postal work, and where combined offices exist, to place these offices under their charge? If not, why not?

(h) Will Government state if the above matters were referred to the Postal Committee?

The Honourable Sir Frank Noyce: (a) and second part of (b). I would refer the Honourable Member to the reply I gave a little while ago to a somewhat similar question put by him.

(b) first part. The reply is in the affirmative.

(c) No.

(d) I presume the Honourable Member is referring to the reconstitution of the accounts of the Indian Posts and Telegraphs Department which took place in 1925. Previous to that year, the accounts of the department did not give a clear and accurate picture of the true financial position of the department and of each of its constituent branches; the accounts were therefore reconstituted so as to exhibit as accurately and clearly as possible:

the true financial position of the department as a whole and of each of its constituent branches, a reform which was essential for proper administration.

(e) Government consider that the arrangement suggested by the Honourable Member will not be economical.

(f) Postal head clerks who supervise the work of postal signallers are themselves postal signallers and are trained in telegraphy.

(g) Telegraph masters are intended to supervise the work of telegraphists in departmental telegraph offices and it would involve wasteful expenditure to train telegraph masters in postal work and to put them in charge of combined offices.

(h) No.

DELAY IN THE HEARING OF INCOME-TAX APPEALS IN THE PUNJAB.

616. ***Sardar Sant Singh:** Will the Honourable the Finance Member state whether he has received any communication, complaining of the abnormal delay in hearing the income-tax appeals in the Punjab? If so, what is the number of appeals pending before the Assistant Commissioners at Lahore, Amritsar, Rawalpindi and Delhi, and what are the dates (i) on which the appeals were filed, and (ii) when they were disposed of during the years 1933-34 and 1934-35?

Mr. A. H. Lloyd: Complaints have been received of delays in the disposal of income-tax appeals in the Punjab, and in consideration of the great increase in the number of appeals and consequent accumulation of arrears the Government have recently sanctioned the creation of an additional temporary post of Assistant Commissioner. The detailed information for which the Honourable Member asks in the second part of his question cannot be compiled without the expenditure of an amount of labour which would, in my opinion, not be commensurate with the value of the results, since the Government of India have accepted the position that the accumulation of arrears is primarily due to the inadequacy of the staff to deal with a greatly increased volume of work.

RECOVERY OF ELECTRIC AND WATER CHARGES, ETC., FROM POSTAL EMPLOYEES IN THE PUNJAB AND NORTH-WEST FRONTIER CIRCLE.

617. ***Sardar Sant Singh:** (a) Will Government please state whether they are aware that the Post Master General, Punjab and North-West Frontier Circle, Lahore, had issued orders, directing recovery of electric supply, water, sanitation and other charges on the 27th November, 1933, with retrospective effect from 1st April, 1931?

(b) Under what terms and conditions were these charges recovered previously and what are the amended conditions, if any?

(c) When were the occupants made aware of the changes in each case, and did they accept them *non con*?

(d) Why were the orders held up from 1st April, 1931 till 27th February, 1933 and where did the delay occur?

(e) Have any recoveries been made so far under the amended regulations with retrospective effect since 1st April, 1931?

(f) Were the rules revised without due notice to and concurrence of the occupants or tenants, especially when a long period of retrospect is involved?

(g) On what authority does the Post Master General, Punjab and North-West Frontier Circle, base his orders, directing retrospective recoveries from 1931?

(h) Are Government prepared to institute such steps as to countermand the orders, passed by the aforesaid officer and cause all recoveries made thereunder to be refunded? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Prior to the 1st of April, 1931, all officials of the non-clerical class such as overseers, postmen and menials on the postal side and corresponding officials on the telegraph side who were provided with rent-free quarters were exempt from the payment of all municipal taxes including personal taxes i.e., taxes for water, conservancy, electric light etc., and all other officials provided with rent-free quarters had to pay them at the rate of $\frac{1}{4}$ per cent of monthly emoluments subject to a maximum of Rs. 5 per mensem. In May, 1931, orders were issued that with effect from the 1st April, 1931, all non-gazetted officers of the Posts and Telegraphs Department whose pay does not exceed Rs. 150 per mensem should be exempted from the payment of municipal taxes other than personal taxes on all buildings occupied by them free of rent.

(c) As regards the first part, all employees were made aware of these orders by means of the Director-General's General Circular No. 6, dated the 11th May, 1931. As regards the second part Government have no information but there was no question of asking the occupiers consent to the new orders.

(d) Owing to a misunderstanding, certain Heads of offices did not effect recovery of the personal taxes from the officials concerned till their attention was drawn to the matter by the issue of general orders by the Postmaster-General, Punjab and N.-W. F. Circle in November, 1933, on the Audit Office pointing out the omission.

(e) Yes.

(f) and (g). If the Honourable Member is referring to the orders issued by Government in the Director-General's General Circular No. 6, dated the 11th May, 1931, the reply is in the affirmative, but I may point out that the concurrence of the occupants is not a necessary condition for the revision of rules and that no long retrospective period was involved as the orders were issued on the 11th May, 1931, and were made applicable with effect from the 1st April, 1931. If the Honourable Member is referring to the Circular issued by the Postmaster-General in November, 1933, I would point out that the Postmaster-General did not issue new orders but merely enforced the existing orders.

(h) No, the orders to effect recovery were issued under the orders of competent authority and consequently no question of refund of the recoveries made arises.

STIPENDIARY CANDIDATES RECRUITED AND TRAINED IN TELEGRAPHY AND RAILWAY MAIL SERVICE WORK.

618. *Sardar Sant Singh: (a) Is it a fact that out of many stipendiary candidates recruited and trained in telegraphy and R. M. S. work on execution of a bond to serve the Posts and Telegraphs Department, some were confirmed on the old scale of pay (that is Rs. 35 to 135) and some were brought on to the reduced scale of pay now sanctioned by putting a ban on their confirmation?

(b) If so, how do Government justify such differential treatment to candidates recruited and trained at the same time?

(c) When a bond was taken from them to serve the department, was there not an obligation on the part of the Government to provide them with appointments on the same scale as the others recruited and trained with them?

(d) Are Government prepared to reconsider their case and restore them to the old scale of pay?

The Honourable Sir Frank Noyce: (a) I presume that by 'stipendiary candidates' the Honourable Member means candidates who received only the learner's allowance, during the period of their training. Government have no precise information but they understand that the facts are substantially as stated by him.

(b) The pay of the candidates on permanent appointment was fixed not with reference to the dates of their training or recruitment but in accordance with paragraphs 2 and 6(b) (2) of Government orders, dated the 11th March, 1935, a copy of which is laid on the table.

(c) and (d). No.

Copy of orders referred to in the reply to part (b) of starred question No. 611.

No. Es. A.-130/33(2)

GOVERNMENT OF INDIA.

DEPARTMENT OF INDUSTRIES AND LABOUR.

POSTS AND TELEGRAPHS BRANCH.

New Delhi, the 11th March, 1935.

MEMORANDUM.

Revised rates of pay, Compensatory Allowances and Special pay for non-Gazetted Posts in the Indian Posts and Telegraphs Department.

The Governor-General in Council is pleased to sanction revised rates of pay, as shown in Schedule I attached to this memorandum, for non-gazetted Government servants of the Indian Posts and Telegraphs Department other than those employed in the office of the Director-General of Posts and Telegraphs.

2. The rates of pay shown in Schedule I, shall apply to :

- (i) all persons who enter, or have entered, or are or have been re-employed in, Government service, whether in a permanent or other capacity, on or after 16th July, 1931;
- (ii) persons who were in service whether in a permanent or other capacity on 15th July, 1931, if there is a break in their service after that date;
- (iii) persons who were on probation on 15th July, 1931, and who were subsequently confirmed in the service or post for which they were on probation, provided that they were specifically warned, at the time of appointment on probation, that they would be brought on to revised scales of pay when introduced; and
- (iv) persons who entered service as a result of a competitive examination held before the 16th July, 1931, provided they were specifically warned, before or at the time of the examination, that the rates of pay of the posts or services for which they were candidates were under revision.

NOTE 1.—The term "Government service" shall be deemed to include prior service under Provincial Government in India.

NOTE 2.—A person re-employed under any of the Re-employed Personnel (Conditions of Service) Rules shall be regarded as having had a break in his service.

6. (a) The pay, compensatory allowances and special pay of persons to whom the revised rates apply will be fixed with effect from the 1st April, 1935, at the rate which would have been admissible had the revised rates of pay, compensatory allowances and special pay been in force from the beginning of their service or re-employment, but no re-adjustments will be made on this account in respect of amounts earned before 1st April, 1935.

(b) Holders of lower and Upper Division clerical posts to whom these orders apply will be brought on to the new scales in accordance with the following instructions :

- (1) In Circle Offices and other offices mentioned in Section I(b) of Schedule I.—Holders of clerical posts in these offices will be brought on to the first and second divisions hereby sanctioned in accordance with detailed instructions which will be issued subsequently. Pending the issue of those instructions, however, and purely as a transitional measure, holders of Upper Division posts (if any) will be brought on to the first division of the clerical scale and holders of Lower Division posts on to the second division in accordance with sub-paragraph (a) of this paragraph.
- (2) In offices other than those mentioned at (1) above.—Holders of Upper Division (if any) and Lower Division posts will have their pay fixed in accordance with sub-paragraph (a) of this paragraph in the second grade of the new clerical services. Similar treatment will also be accorded to Telephone operators, Classes I and II, respectively.

TRAINING IN POST OFFICE WORK GIVEN TO OFFICERS OF THE TELEGRAPH ENGINEERING DEPARTMENT BEFORE THEIR APPOINTMENT AS POSTMASTERS GENERAL.

619. *Sardar Sant Singh: (a) What training in post office work is given to officers of the Telegraphic Engineering Department before they are appointed as Postmasters General?

(b) If no training is given, how are they expected to do justice to the questions dealing with the postal side?

(c) If no postal training is needed for these Telegraphic Engineering Officers, why is it required for I. C. S. officers preliminary to their being drafted to the Posts and Telegraphs Department?

(d) Do Government propose to give some postal training to Engineering Officers selected for appointments as Postmasters General?

The Honourable Sir Frank Noyce: (a) No formal training in post office work is proscribed for officers of the Telegraph Engineering Branch before their appointment as Postmasters General.

(b) Before being appointed as Postmasters General, Telegraph Engineering Officers are, in view of their long service in the Posts and Telegraphs Department, already familiar with the general organisation of the Department and the lines on which it is administered. The major part of the work of a Postmaster General is of a general administrative character. In dealing with purely technical matters he has the assistance of Deputy Postmasters General and Assistant Postmasters-General.

(c) The cases of Telegraph Engineering Officers and of I.C.S. Officers are not identical. As already explained, the former are familiar with the organisation and general administration of the Posts and Telegraphs Department while the latter have no such experience or knowledge.

(d) For the reasons already given Government do not consider that any special training is necessary. Instructions have, however, been issued to Heads of Circles to afford facilities to senior officers of both the Telegraph and Postal Branches of the Department to familiarise themselves with the detailed work of branches with which they are not immediately connected.

ALLEGATIONS AGAINST THE POSTMASTER GENERAL, MADRAS.

620. ***Sardar Sant Singh:** (a) Has it come to the notice of the Director General, Posts and Telegraphs and Government that the Postmaster General, Madras (Mr. Brokenshaw) assaulted a peon from the office?

(b) If so, what notice are Government going to take of such conduct?

(c) Are Government aware that the Postmaster General, Madras, is treating Postmasters in a most insulting manner?

(d) Did the Postmaster General ask the Postmaster, Bellary, to get out of his office and never to appear before him? For what offence was the Postmaster so treated?

The Honourable Sir Frank Noyce: (a) No such incident has come to the notice of the Director General.

(b) Does not arise.

(c) Government have no reason to believe that the allegation made by the Honourable Member has any foundation.

(d) As regards the first part, it appears from enquiries made that no such incident took place. The rest of the question does not arise.

LANGUAGE REWARDS GIVEN TO OFFICERS.

621. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state if it is a fact that language rewards are given to officers in the civil, military or other services under the Government of India and Local Governments?

(b) Will Government state the reasons why these rewards are given, and the results obtained from giving these rewards?

(c) Is it a fact that the intention originally was to induce non-Indian officers to learn the languages of the country, when the country had come recently under the Government of the Crown?

(d) Will Government state if these reasons continue to exist, or whether they propose to consider the abolition of these rewards?

(e) Will Government state the total amount given during the years 1933, 1934 and 1935 in the shape of rewards to officers in the Army, the Indian Civil Service and other all-India services, for learning oriental languages, or for attaining proficiency therein?

(f) Will Government state if officers in any of the services under the Government of India, after attaining proficiency in any of the oriental languages, are posted to countries outside India and if any benefit is derived by India in return for the sums spent in such rewards?

(g) Will Government state the languages, for attaining proficiency in which rewards to officers are given?

Sir Girja Shankar Bajpai: (a) The position is correctly stated as regards officers under the Government of India. Local Governments have their own examinations.

(b) To ensure proficiency in languages which are likely to help an officer to discharge his duties efficiently.

(c) The intention has always been to encourage officers, irrespective of their nationality, to study languages other than their own mother tongue, or in which they have acquired proficiency in the course of their school or university studies or could acquire it by association with the educated classes or otherwise, without difficulty.

(d) Yes. The latter part of the question does not arise.

(e) The information asked for by the Honourable Member is not available and Government regret their inability to collect it as this will involve an expenditure of time and labour which will not be justified by the results.

(f) Yes.

(g) A statement showing the names of languages for attaining proficiency in which rewards are given to officers is laid on the table.

Statement showing the names of languages for passing examinations in which rewards are given to officers,

1. Arabic.
2. Assamese.
3. Baluchi.
4. Bengali.
5. Brahui.
6. Burmese.
7. Canarese (Kanarese).
8. Chinese.
9. French.
10. German.
11. Gujarati.
12. Hindi.
13. Japanese.
14. Khovar.
15. Malayalam.
16. Marathi.
17. Nepali.

18. Pali.
19. Pashtu.
20. Persian.
21. Punjabi.
22. Russian.
23. Sanskrit.
24. Shina.
25. Sindhi
26. Tamil.
27. Telugu.
28. Tibetan.
29. Turkish.
30. Urdu.
31. Uriya.

**CENTRAL PUBLIC WORKS DEPARTMENT AND MUNICIPAL COMMITTEE,
NEW DELHI.**

622. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state the present strength of the Central Public Works Department, which is concerned with the area of New Delhi, together with the salaries which they are drawing?

(b) Will Government state how far they are responsible for repairs, renewals and maintenance of buildings belonging to Government in New Delhi?

(c) What portion of the work done by the Public Works Department in respect of water, electricity, roads, etc., was handed over to the New Delhi Municipality, when the municipality was created and subsequently?

(d) Will Government lay on the table a statement showing the officers in the employ of the New Delhi Municipality who are responsible for the department of water, electricity and roads?

(e) Why was the number of posts in the New Delhi Municipality kept high?

(f) Are Government prepared to consider the question of making the New Delhi Municipal Committee wholly elected at an early date?

Sir Girja Shankar Bajpai: (a) A statement giving the information required by the Honourable Member is laid on the table.

(b) Government are completely responsible for repairs, renewals and maintenance of their buildings in New Delhi.

(c) Distribution of filtered water supply and electricity and maintenance of roads, sewers, storm water drains for all of which, except electricity, it employs the agency of the Central Public Works Department.

(d) A statement of the electrical staff maintained by the Municipality is laid on the table.

(e) The number of posts referred to by the Honourable Member was based on the requirements of the city and does not appear to be excessive.

(f) For reasons which have been frequently explained to the House, Government do not propose to alter the composition of the municipality at present.

Statement referred to in part (a).

| Posts. | Strength. | | Total. | Scale of pay. | Remarks. |
|---|-----------------|-----------------|--------|--|---|
| | Perma- nent. | Tempo- rary. | | | |
| | | | | Rs. | |
| Executive Engineers . | 4 | 2 | 6 | 825—1,375 | |
| Electrical Engineer . | 1 | .. | 1 | 725—1,375 | |
| Superintendent, Horti- cultural Operations. | 1 | .. | 1 | 600—800 | |
| Assistant Superinten- dent, Horticultural Operations. | 1 | .. | 1 | 550—750 | |
| Sub-Divisional Officers | 9 | 5 | 14 | 250—500 | In many cases old rates of pay are drawn which vary for individuals. The rates shown are the revised rates. |
| Sub-Divisional Officer, Horticultural Opera- tions. | 1 | .. | 1 | 70—200 plus S. D. O. al- lowance of Rs. 50. | |
| Electrical Supervisors | 3 | 1 | 4 | 150—400 | |
| Members of the Sub- ordinate Engineer- ing Service. | 20 | 26 | 46 | 70—200 | |
| Horticultural Sub- ordinates. | 6 | .. | 6 | 70—200 | |
| Electrical Subordi- nates. | 4 | 4 | 8 | 70—200 | |
| Labour verifier . . | 1 | .. | 1 | 100—160 | |
| Carotakers . . . | 2 | .. | 2 | 200 | |
| Storekeeper . . . | 1 | .. | 1 | 70—200 | |
| Garden Chowdharies . | 10 | .. | 10 | 25—70 | |
| Accountants . . . | 6 | 2 | 8 | 80—225 | |
| Accounts Clerks . . | 46 | 22 | 68 | 40—110 | |
| Head Clerks . . . | 6 | 2 | 8 | 100—200 | |
| Clerks | 23 | 14 | 37 | 40—90 | |
| Draftsmen | 12 | 5 | 17 | 40—250 | |

Statement referred to in part (d).

| Name. | Strength. | Grade. |
|--|-----------|---|
| A.—Executive Officers. | | |
| (1) Electrical Engineer | 1 | Rs. 1,250—25—1,600 (plus Rs. 105 m. a.). |
| (2) Assistant Electrical Engineer | 1 | Rs. 500—20—750—850—950 (plus 105 m. a.). |
| B.—Superintendents. | | |
| (1) Superintendent, Power House | 1 | Rs. 250—275 (Probation). Rs. 350—25—450/2—500—20—750. |
| (2) Superintendent, I Circle | 1 | Rs. 250—275 (Probation)—350—25— 450/2—500 (Plus Rs. 50 m. a. or Rs. 15 m. c. a.). |
| (3) Superintendent, II Circle | 1 | Ditto. |
| (4) Assistant Superintendent, Power House | 1 | Rs. 250—275 (Probation)—350—25— 450/2—500. |
| C.—Upper Subordinates. | | |
| (1) Shift Engineer, Power House | 1 | Rs. 150—10—300. |
| (2) Superintendent Fire Brigade | 1 | Rs. 150—10—300 (Plus Rs. 15 m. c. a.). |
| (3) Superintendent of Meters | 1 | Rs. 150—10—300 (Plus Rs. 15 m. c. a.). |

| Name. | Strength. | Grade. |
|---|-----------|--|
| <i>D.—Subordinates.</i> | | |
| (1) Workshop Foreman | 1 | Rs. 70—5—150—10—200. |
| (2) Electrical Meter Inspector | 1 | Rs. 75—4—95—5—150 (<i>plus</i> Rs. 15 m. c. a. or Rs. 6 cycle allowance). |
| (3) Water Meter Inspector | 1 | Rs. 75—4—95—5—150 (<i>plus</i> Rs. 15 m. c. a. or Rs. 6 cycle allowance). |
| (4) Supervisors | 4 | Ditto. |
| (5) Assistant Shift Engineers | 2 | Rs. 75—4—95—5—150. |
| (6) Boiler Supervisor (Power House) | 1 | Ditto. |
| (7) Store-keeper | 1 | Ditto. |
| (8) Head Mechanics | 3 | Ditto. |
| (9) Draftsman | 1 | Ditto. |

| | | |
|---------------------------------------|----|----------------|
| <i>E.—Lower Subordinates.</i> | | |
| (1) Shifts-in-Charge | 16 | Rs. 40—5/2—90. |
| (2) Power House Attendants | 4 | Ditto. |
| (3) Switch Board Attendants | 4 | Ditto. |
| (4) Meter Readers | 30 | Ditto. |

| | | |
|--|-------------|--------------|
| <i>F.—Artisans.</i> | | |
| (1) Fitters | 3 | Rs. 40—2—60. |
| (2) Jointers | 6 | Rs. 40—2—60. |
| (3) Cable-testers | 2 | Rs. 40—2—60. |
| (4) Motor Repairers | 4 | Rs. 40—2—60. |
| (5) Motor Checkers | 2 | Rs. 40—2—60. |
| (6) Turners | 3 | Rs. 40—2—60. |
| (7) Pattern-maker | 1 | Rs. 40—2—60. |
| (8) Drivers Sub-Stations | 15 | Rs. 26—2—40. |
| (9) Drivers Power House (Turbines) | 9 | Rs. 40—2—60. |
| (10) Sarangs | .. | Rs. 26—2—40. |
| (11) Wiremen | 5 | Rs. 26—2—60. |
| (12) Armature Winders | 3 | Rs. 40—2—60. |
| (13) Masons | 4 | Rs. 26—2—40. |
| (14) Meter Mistries | 4 | Rs. 26—2—40. |
| (15) Blacksmith | 1 | Rs. 26—2—40. |
| (16) Tinsmith | 1 | Rs. 26—2—40. |
| (17) Sub-station attendants | 7 | Rs. 15—1—30. |
| (18) Electric Linemen | 10 | Rs. 26—2—30. |
| (19) Meter Erectors | 2 | Rs. 26—2—40. |
| (20) Chargemen, Power House | <i>Nil.</i> | Rs. 26—2—40. |
| (21) Carpenters | <i>Nil.</i> | Rs. 26—2—40. |
| (22) Boiler Attendants | 3 | Rs. 40—2—60. |

| | | |
|-----------------------------|----|--------------------------|
| <i>G.—Clerical Staff.</i> | | |
| (1) Head Clerk | 1 | Rs. 100—15/2—175—10—185. |
| (2) Accountant | 1 | Ditto. |
| (3) Senior Clerks | 4 | Rs. 55—5/2—100. |
| (4) Junior Clerks | 10 | Rs. 40—5/2—90. |
| (5) Duffry | 1 | Rs. 15—1—25. |

| | | |
|--------------------------------|-----|-------------------|
| <i>H.—Menial Staff.</i> | | |
| (1) Head Khallasi | .. | Fixed pay Rs. 20. |
| (2) Mate | 1 | " " " 20. |
| (3) Boiler Khallasis | 30 | " " " 20. |
| (4) Fireman | .. | " " " 20. |
| (5) Cleaners | 10 | " " " 17. |
| (6) Khallasis | 127 | " " " 17. |
| (7) Line Patrollers | 3 | " " " 18. |
| (8) Peons | 6 | " " " 15. |
| (9) Cycle Peons | 3 | " " " 16. |
| (10) Bhisti | 1 | " " " 16. |
| (11) Chowkidars | 10 | " " " 14. |
| (12) Sweepers | 7 | " " " 12. |
| (13) Mali | .. | " " " 15. |

The Committee do not employ its own staff for the maintenance of roads and distribution of filtered water. The Committee employ the agency of the Central Public Works Department for the above works on payment of 16½ per cent. on the completed cost as departmental charges.

ELECTRICITY CHARGES IN NEW DELHI.

623. ***Mr. C. N. Muthuranga Mudaliar:** (a) Has the attention of Government been drawn to an article in the "Notes" column of the *Modern Review* for December, 1935, at page 730, regarding profiteering in electric supply?

(b) Are Government aware of, and if so, will they lay on the table a statement showing the rates charged for lighting in the Calcutta Municipality, and in the New Delhi Municipality?

(c) Is it a fact that the rate for lighting in New Delhi is at least four annas a unit and that it compares very unfavourably with the rates mentioned for the various towns and areas mentioned in the articles referred to above?

(d) Will Government state the total expenditure on the New Delhi electric installation and the recurring expenditure per month?

(e) What is the amount of power which can be produced by the New Delhi installation, and the amount which is actually produced and actually consumed?

(f) Are Government aware that from about the middle of March every year persons, residing in New Delhi, begin to use electric fans regularly and that in many cases the prohibitive charges for electricity consumed in running fans deters persons from using such fans to the extent necessary or desirable?

(g) Are Government prepared to take the necessary steps to have the electric charges reduced by at least 50 per cent., so as to encourage the consumption of electricity in the New Delhi area?

(h) Will Government lay on the table a statement showing the annual income received during the period when the department was run by Government and during the period it has been under the charge of the municipality?

Sir Girja Shankar Bajpai: (a) Yes.

(b), (d), (e) and (h). A statement is laid on the table.

(c) The rates charged for current depend, like any other articles supplied, on the expenses and conditions of installation and operation, the extent and nature of the demand, whether, e.g., as in New Delhi, street lighting is covered, and other circumstances. It is not possible to fix charges in Indian cities by the figures prevailing in the totally different conditions of the United Kingdom or even other cities in India.

(f) Government believe that as the weather grows hotter more fans are used but they are not prepared to admit that the charges for electricity are prohibitive.

(g) Government share the Honourable Member's desire to encourage the consumption of electricity in the New Delhi area but, for the reasons indicated already, reduction of charges is a matter in which many factors enter which require careful consideration.

(b) *Rates for electric lighting charged by the New Delhi and Calcutta Municipalities.*

| | |
|-----------|---|
| New Delhi | 4 annas per unit less 10 per cent. discount for prompt payment. |
| Calcutta | 4 annas per unit less a rebate of 1½ anna per unit for prompt payment and freedom from arrears. |

(d) *Capital cost and recurring expenditure on the New Delhi electric installation.*

| | |
|--------------------------------|---|
| Capital cost | Rs. 70,00,000 including road lighting. |
| Recurring expenditure per year | Rs. 9,25,000 including interest and sinking fund charges. |

(e) *New Delhi Electric Installation.*

Amount of power produced and consumed.

The New Delhi installation can produce 3000 kilowatts. The capacity of the plant is taxed to the utmost. In January, 1935, the amount produced and consumed exceeded 2800 kilowatts.

(h) *Annual income of the New Delhi Electrical Department, while under Government, and the Municipal Committee respectively.*

| | Rs. | |
|---------|-----------|---|
| 1929-30 | 8,15,921 | } during these years the Department was under Government control. |
| 1930-31 | 8,37,691 | |
| 1931-32 | 8,01,800 | |
| 1932-33 | 8,77,522 | } during these years the Department was under the control of the Municipal Committee. |
| 1933-34 | 9,21,596 | |
| 1934-35 | 10,41,395 | |

Mr. S. Satyamurti: May I know if the actual charges are just enough to cover expenses and nothing more?

Sir Girja Shankar Bajpai: The concern is not a Government concern, it is a municipal concern, and, as far as I know, the municipality had a slight income over and above the expenses which are incurred on the installation.

MARKETS IN NEW DELHI.

624. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state the number of vegetable markets provided by the Municipal Committee, or by Government, in New Delhi?

(b) Is it a fact that there is only one market—the Gole Market—in New Delhi to cater to the inhabitants of New Delhi living in places miles away from the market?

(c) Is it a fact that licences for vending vegetables in the streets and quarters are not freely issued and are Government aware that it puts poor people to a great deal of expense and worry to get licences at all?

(d) Are Government aware that poor people hawking vegetables without a licence are harassed by the police and others and are not allowed to go about their work in peace?

(e) Are Government aware that in the absence of good market places, besides the Gole Market, inhabitants in far off residences and quarters find it very inconvenient to have to come all the way to Gole Market for their vegetables, etc.?

(f) Are Government prepared to consider the advisability of making early provision for building markets in at least three or four more places in the Minto Road and other areas and let out stalls in such markets at nominal rents, so as to provide cheap and good vegetables under sanitary conditions?

Sir Girja Shankar Bajpai: (a) There is a Municipal vegetable market called the Gole Market, New Delhi.

(b) Yes, but shops have been built behind the Western Court on Hastings Lane and on Aurangzeb Road. There are also shops in the Government Press Area.

(c) Licences are not required for vending vegetables in the streets and quarters.

(d) Not so far as Government are aware.

(e) and (f). The Honourable Member will appreciate that in a city of distances like New Delhi residents in some parts will have to travel some way for their shopping, unless each road or street had a market, which is obviously impracticable. Government are informed that new blocks of shops are under construction in three different places in the new City Extension Area, that is the Minto Road area.

Mr. C. N. Muthuranga Mudaliar: May I know if Government will make inquiries and, if the facts are as reported, will the Honourable Member kindly take steps to rectify matters?

Sir Girja Shankar Bajpai: Sir, if my Honourable friend, who has framed this question, will be good enough to supply to me the information on which that question is based, I shall see whether any action on the part of Government is necessary.

Mr. C. N. Muthuranga Mudaliar: Sir, is it incumbent upon me to supply the facts? If it is, may I give such facts as are in my possession to the Honourable Member?

Mr. President (The Honourable Sir Abdur Rabim): The Honourable Member may afterwards supply such facts as he may have in his possession to the Honourable Member for Government to enable him to make further inquiries.

BUILDING OF KITCHENS FOR THE QUARTERS ON ALLENBY ROAD, NEW DELHI.

625. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state if it is proposed now or in the near future, to build kitchens for the quarters on Allenby Road, New Delhi?

(b) Will Government state if it is proposed to build these kitchens separately from the main building or as part of the building itself?

(c) Are Government aware that in all quarters on Mahadev Road, Talkatora Road and Queen Mary's Avenue, as well as in many of the quarters on Rakabganj Road and Asoka Road, and in all the unorthodox types of quarters on Market Road, Park Lane and Barakhamba Road, the kitchens are built as part of the building itself?

(d) If the answer to part (c) be in the affirmative, are Government prepared to consider the advisability of building the kitchens as an integral part of the buildings on Allenby Road, when the proposal is taken up?

The Honourable Sir Frank Noyce: (a) Certain A class unorthodox clerks' quarters on Allenby Road have been reclassified as D class officers' houses, and it is proposed to build new kitchens for them as soon as funds can be made available.

(b) The kitchens will be built close to the main building, and connected with it by a covered passage.

(c) Yes.

(d) Attention is invited to the reply given to part (b).

LETTING OUT OF BUILDINGS IN CONNAUGHT CIRCUS, NEW DELHI.

626. ***Mr. C. N. Muthuranga Mudaliar:** (a) Will Government state if there are any conditions or restrictions as to the letting out of buildings—ground or top floor—built in Connaught Place, Connaught Circus and adjacent area, which have been laid down by Government or by the new New Delhi Municipal Committee? If so, will Government please lay a copy on the table of this House?

(b) Is it a fact that the New Delhi Municipal Committee makes a distinction between shops and offices in the matter of the letting out of such buildings in Connaught Circus? If so, will Government state what constitutes such distinction and the reasons why such a distinction is sought to be enforced?

(c) Are Government aware that a number of shop-keepers who had taken up the ground floor room in the outer circle of Connaught Circus were given very short notice to quit and were therefore put to considerable inconvenience and expense?

(d) Are Government aware that there is a feeling among the landlords in New Delhi that it is difficult for them to get redress, as their representation in the New Delhi Municipal Committee is very inadequate and that the officials on the committee do not consider their difficulties?

(e) Are Government prepared to consider the advisability of giving more effective representation to the non-official element in the New Delhi Municipal Committee?

Sir Girja Shankar Bajpai: Enquiries have been made and the information will be furnished to the House in due course.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that with respect to the lower portions of the buildings in question, the owners have been asked to let them only to offices?

Sir Girja Shankar Bajpai: Sir, Government have no information; otherwise there would not have been any occasion to call for information.

LEVY OF DUTY ON IMPORTS OF COPRA INTO CEYLON.

627. *Mr. C. N. Muthuranga Mudaliar: (a) Has the attention of Government been drawn to news report in the *Hindu* of the 5th December, 1935, concerning the levy of duty on imports of copra into Ceylon from the Straits and elsewhere?

(b) If so, will Government state what action, if any, have Government of Ceylon taken with regard to the imports, if any, of copra from British India and the Indian States into the island of Ceylon?

(c) Have Government finished the consideration of the question of levying import duties on coconut and coconut products from the island of Ceylon into British India and the Indian States? If so, when are the decisions to be announced? If not, when do they expect to finish the consideration of the question?

(d) Are Government aware that delay in the consideration of this question is affecting the coconut growers in the west coast of India very prejudicially?

(e) What action, if any, have Government taken on the reports submitted to them in this matter by the Imperial Council of Agricultural Research or by any officers who may have been deputed?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The Government of India understand that the Ceylon Government have recently imposed an import duty of Rs. 2-4 per cent. on copra, but there are no imports of copra into Ceylon from India.

(c) to (e). The attention of the Honourable Member is directed to the reply given by me to his question No. 130 on the 6th February, 1936, but I might add that on that occasion in reading out the tariff values for coconut I read out that the tariff valuation for 1935 was Rs. 44 and for 1936, Rs. 55, that is the tariff valuation of coconuts from the Straits, the Dutch East Indies and Siam. So far as coconuts from Ceylon are concerned, the figures were:

The tariff valuation for 1935 was Rs. 28-8-0, and that for 1936, Rs. 45;

and this is much more favourable than the figures I read out on that occasion. From this it will be observed that the tariff valuation for 1936 being Rs. 45, if the duty is added, it comes up to Rs. 54 per ton.

Dr. F. X. DeSouza: Is it a fact that in spite of Ceylon being our greatest competitor with regard to the coconut, we allow her a rebate of ten per cent.?

The Honourable Sir Muhammad Zafrullah Khan: Under the Ottawa scheme?

Dr. F. X. DeSouza: Yes.

The Honourable Sir Muhammad Zafrullah Khan: Yes: that is so.

SUPPLY OF GOVERNMENT PUBLICATIONS TO PUBLIC INSTITUTIONS.

628. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state the number of applications received for the free supply of the Reports on Constitutional Reforms and other Government publications that were to be destroyed by the end of June 1935?

(b) Will Government be pleased to state the number of applications that were granted and those that were rejected?

(c) Will Government be pleased to state the number of copies that were destroyed?

The Honourable Sir Frank Noyce: (a) About 384 from various sources.

(b) 255 were granted and 129 rejected.

(c) None.

SUPPLY OF GOVERNMENT PUBLICATIONS TO PUBLIC INSTITUTIONS.

629. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state the reasons for which the applications from public institutions for the free supply of Government publications on payment of packing and postage were rejected?

(b) Are there any rules regarding the kind of libraries and educational institutions to which such books cannot be supplied free?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state when those rules were framed, and to lay a copy of the rules on the table?

The Honourable Sir Frank Noyce: (a) Because the publications were offered only to Local Governments for their own use or for distribution to important libraries and institutions.

(b) No.

(c) Does not arise.

SUPPLY OF GOVERNMENT PUBLICATIONS TO PUBLIC INSTITUTIONS.

630. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state the number of applicants who sent money for the packing and postage of Government books, and whose applications were rejected?

(b) Do Government propose to return the money received from such applicants? If not, why not?

The Honourable Sir Frank Noyce: (a) 18.

(b) Yes. The latter part does not arise.

SUPPLY OF GOVERNMENT PUBLICATIONS TO PUBLIC LIBRARIES.

631. ***Qazi Muhammad Ahmad Kazmi:** (a) Is it a fact that in answer to the applications of some libraries for Government publications, the department of publications promised to send them the books on the receipt of the approval of the Government of India?

- (b) If so, has that approval been yet received?
- (c) If the answer to part (b) be in the negative, will Government be pleased to state when that approval is likely to be expected?
- (d) Will Government be pleased to state since what time the approval of the Government of India on individual applications for the free supply of books has become necessary?

The Honourable Sir Frank Noyce: (a) Yes.

(b) and (c). The Government of India agreed that indents from libraries, if received through Local Governments, should be supplied.

(d) The free supply of surplus publications to private persons or bodies is not made indiscriminately and the practice is for the Department or office concerned to issue instructions for the disposal of surplus publications. Orders on such individual applications as are not covered by general instructions have to be taken from the issuing Department or office. I might add that in this case the orders permitted the supply of free copies to Members of the Indian Legislature for their individual use.

REFUSAL OF PERMISSION TO NON-OFFICIAL RELIEF PARTIES TO ENTER QUETTA AFTER THE EARTHQUAKE.

632. *Qazi Muhammad Ahmad Kazmi: (a) Will Government be pleased to state whether prior to the earthquake of 1935, a part of Quetta and Mastung was underlaid with mines for military purposes?

(b) Is it a fact that during the earthquake at Quetta, those mines exploded, adding further to the casualties and loss of property?

(c) Is it a fact that one of the reasons for stopping non-official relief parties and other persons from visiting Quetta was to screen this fact from the public?

(d) If the answer to part (c) be in the negative, will Government be pleased to state the reasons for stopping all non-official relief parties and even prominent public workers from entering Quetta?

Mr. G. R. F. Tottenham: (a), (b) and (c). There is no truth whatever in these suggestions.

(d) Government did not stop all non-official relief parties and prominent public workers from entering Quetta.

REFUGEES SENT OUT OF QUETTA AFTER THE EARTHQUAKE.

633. *Qazi Muhammad Ahmad Kazmi: Will Government be pleased to state the number of European and Indian refugees who were sent out of Quetta, and the amount spent on the passage of both respectively?

Sir Aubrey Metcalfe: In the first fortnight after the earthquake, about 33,000 persons of whom 1,176 were Europeans and the remainder Indians, were evacuated from Quetta. Free passes were issued by the Railway authorities for journeys within India to the value, it has been roughly estimated, of Rs. 4½ lakhs. It is probable that half of this sum will be paid to the Railways from the Relief Fund. The cost of transport of Europeans from India to the United Kingdom was approximately £46,000 of which the portion relating to Government servants will be borne by Government and the balance by the Relief Fund.

EVACUATION OF PERSONS RESIDING IN THE INDIAN QUARTERS IN QUETTA AFTER THE EARTHQUAKE.

634. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state whether it is a fact that all persons residing in the Indian quarters in Quetta were turned out of their houses on the morning of Saturday the 31st of May, 1935?

(b) Is it a fact that no relief was given officially to the persons lying buried in the native quarters and other private persons were prohibited to approach them after the morning of Saturday?

(c) If the answer to parts (a) and (b) be in the negative, will Government be pleased to state the time and date when the persons living in the Indian quarters were ordered to evacuate those quarters and relief parties and other persons refused permission to go there?

Sir Aubrey Metcalfe: (a) and (b). No.

(c) I would refer the Honourable Member to the debate which took place in this House on the 19th September, 1935, where he will find the answer to his question particularly in the speech made by the Honourable the Home Member on that occasion.

STOPPAGE OF DIRECT RECRUITMENT OF GAZETTED OFFICERS IN THE INCOME-TAX DEPARTMENT, PUNJAB.

635. ***Qazi Muhammad Ahmad Kazmi:** (a) Is it a fact that no recruitment has been made to the gazetted ranks in the Income-tax Department in the Punjab, and all vacancies have been filled up by promoting Inspectors?

(b) Is it a fact that, if this system is followed, there is no chance for the Government to make up the 25 per cent. share of the Muslims in this department?

Mr. A. H. Lloyd: (a) Yes, since 1927.

(b) As vacancies in the gazetted ranks of the Income-tax Department are normally filled by promotion, no definite share is reserved for Muslims, since the orders reserving a percentage of vacancies for Muslims apply to direct recruitment only and not to promotion, which is made solely on merit.

COMMISSIONERS AND ASSISTANT COMMISSIONERS OF INCOME-TAX IN THE PUNJAB GIVEN EXTENSIONS.

636. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state the number of persons who have been given extensions as Assistant Commissioners, Commissioners and officiating Commissioners in the Income-tax Department of the Punjab, with the number of extensions given to each during the last six years?

(b) Have Government considered the inadvisability of every extension to superannuated officials in various departments which result in stopping the way for the younger generation and add to the un-employment of the educated classes?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state what steps they have taken in this direction and whether they have any in contemplation to stop this practice?

Mr. A. H. Lloyd: (a) Four; two of them have been granted two extensions and the two others one each.

(b) and (c). I would refer the Honourable Member to the reply given to parts (f), (g) and (h) of starred question No. 1570, on the 5th April, 1935.

FREIGHT FOR WHEAT ON THE EAST INDIAN RAILWAY.

637. ***Qazi Muhammad Ahmad Kazmi:** (a) Are Government aware that before 1932 the freight for wheat at Railway risk and wheat products at owner's risk used to be the same on the East Indian Railway?

(b) Is it a fact that since 1932, East Indian Railway have introduced a new schedule of freight named A for *atta*, *maida*, *sattoo* and *baisan* at a rate about 12½ per cent. higher than the previous rate?

(c) If the answer to part (b) be in the affirmative, are Government aware that this change has resulted in giving preference to the wheat traffic for the United Provinces, Bihar and Bengal flour mills and prejudice to the flour traffic exportable from Saharanpur and other Punjab mills?

(d) Has the East Indian Railway not lost much of its flour traffic by the aforesaid action? If so, do Government intend to interfere in the matter?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, if by "wheat products" the Honourable Member means "flour", which term includes *atta*, *maida* and *sooji*.

(b) Yes. The schedule 'A' rate which was introduced for flour is higher than the previous rate, the enhancement varying according to distance from about 12 per cent. at 100 miles to 26 per cent. at 900 miles.

(c) No. I would refer the Honourable Member to the report of the Railway Rates Advisory Committee on the complaint of the Roller Flour Mills, Patiala, against the East Indian Railway, a copy of which is in the Library of the House.

(d) While there has been a falling off in the traffic in flour, that in wheat has increased. The traffic in both these commodities is affected by several other factors, such as, the production of the wheat crop in the Punjab and the United Provinces, the general level of wheat and flour prices compared with rice and other foodstuffs and the situation in regard to sea-borne wheat traffic from Karachi. In these circumstances, Government do not consider that their intervention is called for.

FREIGHT FOR WHEAT PRODUCTS ON THE EAST INDIAN RAILWAY.

638. ***Qazi Muhammad Ahmad Kazmi:** (a) Will Government be pleased to state whether any application, dated the 11th April, 1935, was submitted to the Governor General in Council by Lala Harkishan Das, proprietor of Steam Roller Flour Mills of Saharanpur, for referring the matter of the change of rate of freight of wheat products by the East Indian Railway to the Railway Commission?

(b) Is it a fact that the said application has been rejected? If so, will Government be pleased to state the grounds on which the prayer was refused?

(c) Will Government be pleased to state whether the East Indian Railway intend to keep schedule A for the future, or do they intend to repeal it? If the latter, when?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) Yes, because the Governor General in Council, who under section 28 of the Indian Railways Act, has complete discretion as to the reference or otherwise of complaints to a commission, was of opinion that no case justifying reference to a commission was established.

(c) The Agent, East Indian Railway, states that no change is contemplated at present.

SAFEGUARDING OF THE INTERESTS OF INDIANS IN IRAQ.

639. *Mr. Lalchand Navalrai: (a) Are Government aware that Iraq Government have put difficulties and restrictions on entry and living of Indians in Iraq?

(b) Has Government's attention been drawn to the statement published in the *Sind Observer* of 15th December, 1935, under the caption "Lot of Indians in Iraq", and is it a fact that restrictions as mentioned therein have been imposed on Indians?

(c) What steps have Government taken to safeguard the Indian interests and get facilities to them in Iraq?

(d) Have any trade laws been passed in Iraq? If so, how far does that law impose restrictions upon Indians?

(e) What measures have Government taken, or propose to take, in that connection?

Sir Aubrey Metcalfe: (a)—(c). The statement alluded to in part (b) seems to suggest that the Honourable Member is apparently referring to the Iraq Residence Law of 1928, which is applicable to all foreigners alike and does not discriminate against Indians in particular. The law being a domestic concern of the Iraq Government, Government of India can hardly interfere in the matter.

(d) By 'trade laws' the Honourable Member apparently means the 'Labour Protection Law' which has not yet been passed by the Iraq Legislature. The latter part of (d), therefore, does not arise.

(e) The whole matter is under the close examination of His Majesty's Government and the Government of India and has formed the subject of diplomatic representation to the Government of Iraq. It would not be in the public interest or in the interests of Indians in Iraq to publish details of these representations or their results.

Mr. Lalchand Navalrai: May I know whether any Indians have actually been removed from Iraq under certain orders of the Iraq Government?

Sir Aubrey Metcalfe: I have said many times that so far as I know, no Indian has been removed from Iraq.

ELECTRIFICATION OF THE HYDRAULIC POWER STATION AT KEAMARI.

640. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the Karachi Port Trust Board have recently decided to electrify their Hydraulic Power Station at Keamari at an estimated cost of Rs. 1,28,700?

(b) Is it a fact that the scheme for electrification as prepared by the Executive was first placed before the Board at its meeting held on 26th July, 1935?

(c) Is it a fact that the Consulting Engineers of the Karachi Port Trust in London had invited quotations for the machinery:

(1) before the scheme had been placed before or considered by the Board;

(2) before the scheme had been sanctioned by the Government as required under section 29 of the Karachi Port Trust Act;

(3) although the provision for the scheme had not been made in the Budget;

(4) although the Board had not decided as to the manner in which tenders should be invited; and

(5) without any previous knowledge of the Board in that regard?

(d) Is it a fact that the quotations mentioned in part (c) above were invited from only a few British firms and one Belgium firm?

(e) Is it not a fact that at the meeting on 26th July, 1935, while the scheme was approved for Government sanction under section 29 of the Karachi Port Trust Act, the question of consideration of tenders for requisite machinery was definitely deferred, as certain members urged that tenders for the machinery be invited from Continental and American firms as well?

(f) Is it not a fact that at the meeting of the Board held on 23rd August, 1935, *i.e.*, after less than a month the question was again brought up along with a letter from the Consulting Engineers for consideration?

(g) Is it not a fact that an amendment was placed by the Indian Trustees that:

"As the Board had never decided to invite the tenders under consideration and in view of the fact that only five firms have submitted such tenders, the Consulting Engineers be requested now to invite fresh tenders from English, Continental and American firms."

and that this amendment was defeated by eight Europeans and one Indian, nominated Trustees voting against it?

(h) Was the machinery ordered from one of those British firms who had given quotations before the scheme was passed?

(i) Will Government be pleased to state whether or not it is the usual procedure in such cases (i) to have a scheme approved by the Board, (ii) to have such approved scheme sanctioned by Government, (iii) to invite tenders for the requirements, and (iv) to place the tenders received for the acceptance of the Board?

(j) If so, will Government be pleased to call for the reasons why the usual procedure was not adopted in this case, for the information of the House and to state what steps do they propose to take in this matter?

(k) Will Government be pleased to enquire as to why tenders were not invited from Continental and American firms?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Yes; but the Board of Trustees were apprised of the scheme in June, 1933, and again in May 1935.

(c) (1) and (2). Yes; this was done to enable the Consulting Engineers of the Karachi Port Trust in England to obtain all the technical data in order to place before the Board and Government the project and an estimate of its cost.

(3) Yes. It was not possible to estimate the cost of the scheme with any degree of accuracy till the middle of 1935, and consequently no provision could be made in the Budget Estimates for 1935-36.

(4) and (5). It was essential to obtain tenders to be able to frame an accurate estimate for the scheme. Moreover the Karachi Port Trust Act does not require that sanction to call for tenders should be obtained from the Board and the usual practice has been for the Chairman to sanction the calling of tenders, which, when received and approved by him, are placed before the Board.

(d) Twelve British firms and one Belgian firm were asked to quote.

(e) The consideration of tenders was deferred in order to ascertain from the Consulting Engineers of the Port Trust why American and other continental firms, besides the one Belgian firm, were not invited to tender.

(f) Yes.

(g) Yes: but the total number of Trustees who voted against the amendment was ten.

(h) The order was placed with the firm in question *after* the scheme was approved by the Board and sanctioned by Government.

(i) Yes: there have, however, been cases in the past where it has been found necessary to obtain quotation in order to prepare schemes for the approval of the Board.

(j) The usual procedure was not adopted to enable the project and an estimate of the cost to be prepared for the approval of the Board and the sanction of Government. Government do not propose to take any action in the matter.

(k) To avoid the introduction of Continental or American standards and measurements into the plant of the Karachi Port Trust which is equipped with British standards, to enable spares to be obtained easily and speedily and to provide for the manufacture of the pumps, etc., of a highly specialised design under close inspection by the Port Trusts Consulting Engineers.

Mr. Lalchand Navalrai: With reference to the answer to part (h), will Government please say whether the quotation by the British firm was the lowest?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that.

Mr. Lalchand Navalrai: May I know why those tenders were preferred to the others?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that also.

ARRANGEMENT FOR POSTAL COMMUNICATIONS AT CERTAIN PLACES IN SIND.

641. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if any rural Post Offices, worked directly or through the agency of School Masters, have been abolished in Sind during the last two years?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state how many such Post Offices have been closed, at what places in Sind, and what arrangement is there for postal communications?

(c) Is it a fact that there is no postal arrangement at 'Garhi Khairo Mahomed Kurtio' in Kambar Taluka of Larkana District? If so, do Government propose to make suitable arrangement for postal communication for such places in Sind where there is no postal service? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Three post offices were closed, at Babarloi, Aror and Yakubpur. The public at Babarloi have at present to go to the Khairpur Mirs Post Office to transact their postal business. The villages of Aror and Yakubpur are served by village postmen from the Rohri and Jamesabad Post Offices, respectively.

(c) The answer to the first part of the question is in the affirmative. As regards the remainder of the question the position is being examined and efforts will be made to provide such postal facilities as can be justified in those parts of Sind where none exist at present.

Mr. Lalchand Navalrai: May I know what is the gain to Government on account of the closing down of the agency of school masters and other agencies, and how much is the inconvenience caused to the people?

The Honourable Sir Frank Noyce: As regards the cost, I should require notice. As regards the inconvenience, even if I were to call for information, I doubt very much whether I should get a satisfactory reply.

Mr. Lalchand Navalrai: Will the Honourable Member consider the question of inconvenience also along with the question of cost and then come to a conclusion?

The Honourable Sir Frank Noyce: I may inform the Honourable Member that I have requested the Director General of Posts and Telegraphs to pay special attention to the provision of additional postal facilities in Sind.

Prof. N. G. Ranga: Has any new post office been opened in Sind?

The Honourable Sir Frank Noyce: Yes, Sir. We have provided Rs. 50,000 in the last budget for the opening of additional post offices.

Prof. N. G. Ranga: How many new post offices were actually opened?

The Honourable Sir Frank Noyce: I want notice.

RATE FOR THE ACKNOWLEDGMENT OF RECEIPT OF A REGISTERED LETTER.

642. *Mr. Lalchand Navalrai: (a) Is it a fact that the acknowledgment of the receipt of a registered letter is charged anna one whereas a post card which is larger in size and space is charged three pice?

(b) What justification have Government to charge one anna for acknowledgment, and do Government propose to reduce its postage? If not, why not?

The Honourable Sir Frank Noyce: (a) The fee for an acknowledgment in respect of a registered article is one anna and the postage for a postcard is three pice. The form of acknowledgment is of about the same size as a postcard.

(b) The fee of one anna charged for an acknowledgment is for services rendered in conveying the acknowledgment form from the sender to the addressee, getting it signed by the addressee, conveying it back and delivering it to the sender of the original registered article. The postage charged on a postcard is for conveying it from the sender to the addressee only. Government see no justification, therefore, for a reduction of the fee now charged for an acknowledgment.

Mr. Lalchand Navalrai: Does it really cause great inconvenience to take a signature, and, therefore, this charge should be more?

The Honourable Sir Frank Noyce: The acknowledgment has to go back again. The fee is charged for two services, not for one, and, strictly speaking, we should be justified in levying one anna six pies and not one anna.

Prof. N. G. Ranga: Is any additional establishment maintained for this purpose?

The Honourable Sir Frank Noyce: It is quite impossible to say. One can only say that "every little helps".

CUSTOMS DUTY ON SCIENTIFIC INSTRUMENTS MADE OF PLATINUM IMPORTED FOR EDUCATIONAL PURPOSES.

643. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if scientific instruments made of platinum are imported into India for educational purposes? If so, are they liable to customs duty, and if so, to what extent?

(b) Are these articles, when they become unserviceable on account of wear and tear, exported to England for remoulding? If so, are they re-charged customs duty on their re-entry in India?

(c) If the answer to the above be in the affirmative, why do Government charge double duty on the same articles?

(d) Do Government propose to adopt some suitable method such as noting down the weight of platinum by the customs authorities when exported for re-moulding and alterations in order to exempt the re-entry of the same? If not, why not?

Mr. A. H. Lloyd: (a) All scientific instruments, not otherwise specified, are subject to import duty at the rates specified in item 77 of the Indian Customs Tariff.

(b), (c) and (d). I would invite the attention of the Honourable Member to item 57 in the list of exemptions published with Customs Notification No. 33, dated the 22nd of June, 1935. It will be observed that subject to certain conditions scientific instruments belonging to *bond fide* educational institutions, which are re-imported into British India for the use of such institutions after having been exported for repairs, are assessed only on the value of the repairs. One of the conditions is that the Collector of Customs must be satisfied with regard to the identity of the instruments. It is, therefore, for the Collector to decide whether identity has been established in any particular case, but if the importer is dissatisfied with his decision it is open to him to submit an appeal in accordance with the provisions of the Sea Customs Act.

Mr. Lalchand Navalrai: Is there any record kept for the purpose of knowing the identity after these instruments are returned?

Mr. A. H. Lloyd: It is the general practice of the Customs Department in cases where exemptions are given for re-imported articles to place at the disposal of the public what we call "export certificates" in which details from which identification can be made are entered; but when I say that, I do not wish to imply that the Collector of Customs would never be satisfied with other evidence of identification, although the taking out of export certificates is obviously the most desirable course.

INFLATION OF PRICES OF CERTAIN ARTICLES IN KARACHI.

644. *Mr. Lalchand Navalrai: (a) Has Government's attention been drawn to the contribution in the *Sind Observer* of 7th November, 1935, under the caption "Ruthless exploitation of war by Karachi traders"?

(b) If so, is it a fact that there has been inflation of sale prices of articles in India, specially of wheat, ghee, soap, sugar and such other articles?

(c) If so, what steps did Government take against such inflation of prices?

(d) Has Government's attention also been drawn to the warning issued by the Ceylon Government on the same subject?

(e) If no steps have hither-to-fore been taken, do Government propose to take suitable steps now?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The Government of India do not consider that there has been any abnormal rise in prices of articles in India due to the war between Italy and Abyssinia.

(c) Does not arise.

(d) Yes.

(e) The Government of India do not consider that any action on their part is necessary.

Mr. Lalchand Navalrai: May I know whether on account of the ruthless exploitation of war by the Karachi traders, there has been an inflation of the price of articles in India?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. Lalchand Navalrai: Then, why were there abnormal prices?

The Honourable Sir Muhammad Zafrullah Khan: I have said that the Government of India do not consider that there has been any abnormal rise in prices of articles in India due to the war between Italy and Abyssinia. There was some slight rise to begin with, but the prices resumed their normal level soon after.

Mr. Lalchand Navalrai: Did Government take any action?

The Honourable Sir Muhammad Zafrullah Khan: No action was necessary.

RECOGNITION OF THE DEGREE OF L. A. H. (DUBLIN) AS A MEDICAL QUALIFICATION.

645. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they recognize the degree of L. A. H. (Dublin) as a medical qualification for service and promotion in India?

(b) Is it a fact that such a degree is recognized by the General Medical Council in England?

(c) Is it a fact that Dr. K. M. Hiranandani, L.C.P.S. (Bombay), L.M. (Rotanda, Dublin), L.A.H. (Dublin) made a representation to the Government of India against the Bombay Government having refused to recognise such a degree?

(d) If so, has that question been referred to the Indian Medical Council, or have Government passed any orders thereon?

(e) If the question has been referred to the Indian Medical Council, will Government be pleased to state their decision on the subject?

(f) If the Indian Medical Council or the Government of India have not considered the question favourably, will Government be pleased to state the reasons for it, and do Government propose to reconsider the same?

Sir Girja Shankar Bajpai: (a) The diploma is recognised under the Indian Medical Council Act, 1933.

(b) Yes.

(c) Dr. Hiranandani's representation was directed against an order of the Bombay Government not admitting his request for the grant of enhanced pay on the strength of his possessing this qualification, a matter in which the decision rested with the Local Government. His representation was not against the non-recognition of this qualification.

(d) to (f). Do not arise.

Mr. Lalchand Navalrai: As the Provincial Government have not considered his case, will this Government call for these papers and consider the case for themselves?

Sir Girja Shankar Bajpai: No, Sir, because the Government of India have no authority over the Local Government in the matter of regulating the conditions of service of the subordinate medical service.

Mr. Lalchand Navalrai: Is there no way for the Government of India to revise it?

Sir Girja Shankar Bajpai: There is no way open to the Government of India.

RECRUITMENT OF INDIANS IN THE CYPHER BUREAU OF THE FOREIGN AND POLITICAL DEPARTMENT.

646. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state if they have been now recruiting Indians in the Cypher Bureau or do they propose to admit Indians? If not, why not?

(b) If the answer to part (a) be in the affirmative, what will be the pay on which Indians will start in this department and to what extent will they rise?

Sir Aubrey Metcalfe: (a) I may refer the Honourable Member to my reply to Mr. Mudaliar's question on the 12th instant.

(b) No discrimination is made in the matter of pay. Indians will start on the same pay and will rise to the same extent as fixed for the various divisions of the Government of India Secretariat Offices.

RESTORATION OF FACILITIES TO PRIVATE BONDED WARE-HOUSES AT KARACHI.

647. *Mr. Lalchand Navalrai: (a) Is it a fact that the Buyers and Shippers Chamber, Karachi, made a representation to the Government of India in the Commerce Department on the subject of private bonded ware-houses at Karachi in September, 1935?

(b) Is it a fact that the Collector of Karachi Customs, in February, 1935, issued a notice, withdrawing facilities of Private Bonded Ware-houses at Karachi, which convenience they enjoyed for the past several years?

(c) Will Government be pleased to state what steps they have taken to restore the facilities of private bonded ware-houses at Karachi?

Mr. A. H. Lloyd: (a) Yes.

(b) and (c). The Collector of Customs issued a notice in February, 1935, to the effect that, as the Karachi Port Trust had provided facilities for the ware-housing of goods, new licences for private bonded ware-houses would not be issued and expiring licences would not be renewed, unless the public bonded ware-house facilities offered by the Port Trust were found in any particular case to be inadequate. This is in accordance with the procedure adopted at other Ports, and the only reason why it was not previously enforced at Karachi was, that until recently, the accommodation available in the public bonded ware-houses was insufficient. In these circumstances, the Government of India see no sufficient reason for interfering with the Collector's decision.

Mr. Lalchand Navalrai: May I know if the accommodation now is sufficient, and if there is no complaint from the traders?

Mr. A. H. Lloyd: As I have said in my reply, our information is that the accommodation there now is sufficient. Further, I explained in my reply that, if the accommodation becomes insufficient, the question of licensing private bonded ware-houses would have to be considered. As regards complaints from the merchants, I have not heard of any complaint that there is insufficient accommodation in the public bonded ware-houses. There are, of course, as the Honourable Member knows, complaints of the general action which has been discussed in this question.

POSTAL ARRANGEMENTS IN THE BALUCHISTAN POSTAL DIVISION AFTER THE EARTHQUAKE.

648. *Mr. Lalchand Navalrai: (a) Will Government be pleased to state what arrangements they propose to make in connection with the Baluchistan Postal Division in consequence of the earthquake disaster at Quetta?

(b) What postal arrangements are being carried on now tentatively in the Quetta Division?

(c) Have Government considered whether the Larkana and Dadu Districts require a Head Office at Larkana?

(d) Is it a fact that the Sukkur Head Post Office is not able to cope with the Baluchistan, Sukkur, Larkana and Dadu Districts work?

(e) Do Government propose to give the Quetta Head Post Office work to Sukkur Head Office and establish a Head Post Office at Larkana, or what do they propose to do in the matter?

The Honourable Sir Frank Noyce: (a) and (b). The earthquake at Quetta has not necessitated any change in the area or administration of the Baluchistan Postal Division except to a limited extent; viz., the headquarters of the Superintendent of Post Offices have been temporarily moved to Jacobabad and the Head Post Office work formerly performed in the Quetta Head Post Office has been transferred temporarily to the Sukkur Head Post Office.

(c) Government do not consider that a Head Post Office is required at Larkana.

(d). No.

(e) The Quetta Head Post Office work is already being performed in the Sukkur Head Post Office and it will be retransferred to Quetta as soon as circumstances permit. The latter part of the question does not arise in view of my reply to part (c) above.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to state if, even before this earthquake at Quetta, there was correspondence going on and representations made that Dadu and Larkana do require Head Post Offices?

The Honourable Sir Frank Noyce: I should require notice of that question.

DISCRIMINATIVE TREATMENT TO INDIANS IN GOA.

649. ***Mr. Basanta Kumar Das:** Are Government aware that Indians in Goa suffer from considerable handicaps due to discriminative treatment?

Sir Aubrey Metcalfe: Government have no information of any such discriminatory treatment nor have they received any complaints.

RESERVATION OF A PERCENTAGE OF EMPLOYMENT ON THE NORTH WESTERN RAILWAY FOR NATIVES OF THE PUNJAB.

650. ***Mr. Basanta Kumar Das:** Is it a fact that the North Western Railway have reserved a definite percentage of employment for natives of the Punjab?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

NOMINATION OF MEMBERS TO THE AJMER MUNICIPAL COMMITTEE.

651. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the Ajmer Municipal Committee was superseded last year, and a Committee nominated?

(b) Who are the Members of that Committee?

(c) Does it include any Indian who is not a title-holder or an Honorary Magistrate?

(d) Are Government aware that there is considerable resentment against the efficiency and capacity of the Committee amongst the tax-payers?

(e) Is it a fact that the Local Government intend to increase the number of nominated members, from amongst the ranks of title-holders or Honorary Magistrates?

(f) Have the Local Government consulted the Government of India about this increase? If so, will Government please lay the correspondence on the table of this House?

(g) Is it a fact that the Municipal Enquiry Committee recommended that no practising lawyer should be nominated on the Committee, and as such no practising lawyer was nominated by the Local Government on the Committee?

(h) Is it a fact that the Local Government have now nominated practising lawyers on the Committee?

(i) Is it a fact that there is not a single representative of the trading and merchant classes on the Committee?

(j) Is it also a fact that there is no one to represent the interest of the depressed classes?

(k) Do Government intend to nominate representatives of the traders and the depressed classes on the Committee? If so, will they be pleased to advise the Local Government accordingly?

Sir Aubrey Metcalfe: (a) Yes—in 1934.

(b) I lay on the table a statement giving the names of the members of the Committee.

- (c) Yes—five.
- (d) No.
- (e) No.
- (f) Does not arise.
- (g) The Enquiry Committee made this recommendation, but Government did not consider it would be in Municipal interests to accept it entirely.
- (h) Yes—three.
- (i) No, there are three representatives of the trading and merchant classes on the Committee.
- (j) There is no member of the depressed classes on the Committee, but they are free to approach the Chairman or other members.
- (k) No. Government are not aware that these classes are dissatisfied with the composition of the Committee.

Statement

T. Burt, Esquire, Chairman.
 Captain L. A. G. Pinhey, I.A.
 Diwan Bahadur Harbilas Sarda.
 Rai Bahadur Pt. Gauri Shankar Ojha.
 Rai Bahadur Dr. Nand Lal.
 Rai Sahib Gopi Nath Mathur.
 Rai Bahadur Mithanlal Bhargava.
 Rai Sahib Tulsi Ram.
 Khan Sahib Dr. Abid Masih.
 Mir Muhammad Hasain Chisti.
 Seth Ibrahim.
 Munshi Muhammad Ghani Khan.
 Mr. R. Maclean.
 Mr. C. Lindsay.
 Mr. Mohanlal Kapoor.
 Mr. Mithanlal Kotia.
 Mirza Abdul Qadir Beg.
 Mr. A. R. Khan.

Pandit Sri Krishna Dutta Paliwal: With regard to clause (d), will Government please make an inquiry and then give the reply?

Sir Aubrey Metcalfe: Government have inquired, and I have given the answer.

JOURNEYMEN ON THE EASTERN BENGAL RAILWAY.

652. *Pandit Lakshmi Kanta Maitra: Will Government be pleased to state if it is a fact that the majority of European and Anglo-Indian journeymen employed under the Works Manager, Loco. Shops at Kanchrapara and Saidpur on the Eastern Bengal Railway or transferred within the last five years to other Districts, have been allowed to cross the bar at Rs. 150 per mensem, whereas few amongst the Indians have been so allowed? If so, why?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

JOURNEYMEN ON THE EASTERN BENGAL RAILWAY.

653. ***Pandit Lakshmi Kanta Maitra:** Will Government be pleased to state:

- (a) if it is a fact that the grades of a journeyman on the Eastern Bengal Railway are Rs. 100—10—150, Rs. 160—15—250;
- (b) if it is a fact that the majority of the Indian journeymen employed under Works Manager, Loco. Shops, Kanchrapara and Saidpur and Deputy Chief Mechanical Engineer, Electrical, are blocked at Rs. 150; if so, why;
- (c) whether there is a bar at Rs. 150 and if so, whether it is an efficiency or vacancy bar;
- (d) how many posts in the second section of journeymen's grade, i.e., Rs. 160—15—250 are under Deputy Chief Mechanical Engineer, Electrical, Works Manager, Loco. Shops, Kanchrapara and Saidpur and how many of these have been filled up;
- (e) what is the full text including date and reference of the orders sanctioning the number of these posts under the different Works Managers and in the Electrical Department;
- (f) whether it is a fact that almost all the journeymen on the Eastern Bengal Railway Mechanical Workshops, who have been allowed to go to the second section of a journeymen's grade, viz., Rs. 160—15—250, have been so allowed against vacancies of chargemen in grades Rs. 270—20—330 or Rs. 340—20—380;
- (g) if so, whether it means that there are no sanctioned posts of the second section of the journeymen's grade and in that case what is the position of this grade, viz., Rs. 160—15—250,
- (h) whether it is a fact that the majority of the Railway apprentices (technically trained) at Jamalpur Workshops on the East Indian Railway, when retained after completion of their course, are allowed to go right upto the maximum of Rs. 250 without any bar; and
- (i) if the answer to part (h) be in the affirmative, why the majority of similarly situated men under Works Manager, Loco., Kanchrapara and Saidpur on the Eastern Bengal Railway, are barred at Rs. 150?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

FILLING UP OF A VACANCY OF CLERK IN THE METAL AND STEEL FACTORY AT ISHAPORE.

654. ***Pandit Lakshmi Kanta Maitra:** Will the Honourable Member in charge of the Defence Department, Government of India, be pleased to state:

- (a) whether it is not a fact that the departmental promotions of existing Government employees and the recruitment of new entrants are governed by separate rules of the Government of India; if not, how they are governed;
- (b) whether it is a fact that the departmental promotions are given on communal considerations in disregard of the service point of view;
- (c) whether it is a fact that the seniority is given prior consideration in the matter of departmental promotions in the Ordnance Department; and
- (d) whether it is a fact that the vacancy of a junior grade clerk in the temporary establishment of Metal and Steel Factory, Ishapore has been filled up by promotion on communal basis and the seniority ignored; if so, why?

Mr. G. R. F. Tottenham: (a) Yes.

(b) No.

(c) Seniority is given prior consideration, where qualifications are equal.

(d) Such a vacancy may have been filled by appointing a man who was previously employed in a non-clerical capacity, but such an appointment would be regarded as direct recruitment and not as promotion.

MALPRACTICES ADOPTED BY JAPANESE TEXTILE MANUFACTURERS BY EXPORTING CLOTH AND YARN INTO INDIA AND PASSING THEM OFF AS "INDIAN".

655. *Mr. Mathuradas Vissanji: (a) Are Government aware of the malpractices adopted by the Japanese textile manufacturers to defraud the Indian consumer by exporting their cloth and yarn into India and passing them off as "Indian"?

(b) What action have Government taken to stop such malpractices?

(c) If the answers to parts (a) and (b) be in the negative, will Government be pleased to state whether they received a letter from the Indian Chamber of Commerce, Calcutta, drawing their attention to the existence of such malpractices?

(d) If so, do Government propose to take immediate steps to put an end to such underhand and dishonest means of pushing the Japanese trade in India?

(e) If the answer to part (d) be in the negative, will Government be pleased to state the reasons that led them to take such a decision?

The Honourable Sir Muhammad Zafrullah Khan: (a)—(e). I would refer the Honourable Member to the reply given to Mr. Satyamurti's question No. 110, on the 6th February on the same subject.

EXEMPTION FROM CUSTOMS DUTIES OF ARTICLES IMPORTED FOR RELIGIOUS OR EDUCATIONAL PURPOSES, ETC.

656. ***Mr. Mathuradas Vissanji:** (a) Will Government be pleased to state if, under the Indian Sea Customs Act, any refunds of customs duties are allowed to religious, charitable or educational organisations? If so, will Government be pleased to lay on the table a statement of amounts so refunded during the last ten years?

(b) Have Government received any representations from any universities or other educational, religious or charitable organisations praying for a refund of customs duties in respect of machinery, apparatus or other materials imported from abroad solely for educational purposes? If so, will Government be pleased to state how such representations have been disposed of?

(c) Are Government prepared to consider the desirability of allowing exemption from or refund of customs duties to recognised educational or charitable institutions on such machinery, apparatus or other materials as are imported by them exclusively for educational or research purposes on the same footing or principle as exemption from Indian income-tax allowed to such institutions? If not, why not?

(d) Will Government be pleased to state what would have been the loss of revenue during the last five years if exemption from Indian customs duties had been granted to goods, machinery or apparatus imported by recognised educational or charitable organisations exclusively for the purposes of education, training or research?

Mr. A. E. Lloyd: (a) No.

(b) Government have received such representations but have been unable to accept them.

(c) I would refer the Honourable Member to the reply given by the Finance Member to part (d) of question No. 901 asked by Mr. S. G. Jog on the 30th of August, 1934.

(d) The information is not available.

GRANTS MADE BY THE GOVERNMENT OF INDIA FOR EDUCATIONAL PURPOSES.

657. ***Mr. Mathuradas Vissanji:** Will Government be pleased to lay on the table a statement showing grants made during the last ten years from the funds of the Government of India, (a) to Statutory Indian Universities, (b) to Research Institutions not maintained directly by the Government of India, and (c) by way of research scholarships or help in whatever form for training abroad in technical or scientific subjects?

Sir Girja Shankar Bajpai: A statement giving the information asked for by the Honourable Member so far as it is readily available is laid on the table of the House.

Statement showing grants made during the last ten years (1925-35) from the funds of the Government of India to (a) statutory Indian universities and (b) research institutions not maintained directly by the Government of India and (c) by way of research scholarships or help for training abroad in technical or scientific subjects.

| | 1925-26. | 1926-27. | 1927-28 | 1928-29. | 1929-30. | 1930-31. | 1931-32. | 1932-33. | 1933-34. | 1934-35. |
|--|--------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|----------------|
| <i>(a) Universities.</i> | | | | | | | | | | |
| (1) Calcutta University | Rs. 13,000 | Rs. 13,000 | Rs. 13,000 | Rs. 13,000 | Rs. 13,000 | Rs. 22,500 | Rs. 24,610 | Rs. 15,950 | Rs. 16,600 | Rs. 18,197-4 |
| (2) Bombay " | ... | ... | ... | ... | ... | ... | 3,500 | 1,420 | 2,500 | 2,450 |
| (3) Punjab " | ... | ... | ... | ... | ... | 1,600 | 5,090 | 8,410 | 10,210 | 3,950 |
| (4) Benares " | Rs. 1,00,000 | Rs. 3,25,000 | Rs. 4,25,000 | Rs. 1,25,000 | Rs. 6,00,000 | Rs. 9,00,000 | Rs. 9,00,000 | Rs. 2,70,000 | Rs. 2,70,000 | Rs. 2,70,000 |
| (5) Pटना " | ... | ... | ... | ... | ... | 5,830 | 3,540 | 280 | ... | ... |
| (6) Aligarh " | Rs. 1,00,000 | Rs. 3,25,000 | Rs. 4,25,000 | Rs. 1,25,000 | Rs. 1,68,000 | Rs. 6,00,000 | Rs. 9,00,000 | Rs. 8,70,000 | Rs. 2,85,000 | Rs. 2,70,000 |
| (7) Dacca " | ... | ... | ... | ... | ... | 9,720 | 6,490 | 5,590 | 7,340 | 9,300 |
| (8) Delhi " | Rs. 75,000 | Rs. 85,000 | Rs. 85,000 | Rs. 1,20,000 | Rs. 1,00,000 | Rs. 1,00,000 | Rs. 1,00,000 | Rs. 90,000 | Rs. 90,000 | Rs. 90,000 |
| (9) Agra " | ... | ... | ... | ... | 800 | 12,220 | 18,470 | 17,840 | 31,070 | 26,570 |
| Total (a) | Rs. 2,88,000 | Rs. 7,48,000 | Rs. 9,48,900 | Rs. 3,83,000 | Rs. 8,79,800 | Rs. 16,51,870 | Rs. 19,61,700 | Rs. 12,79,490 | Rs. 7,12,720 | Rs. 6,90,467-4 |
| <i>(b) Research Institutions.</i> | | | | | | | | | | |
| (1) Indian Institute of Science, Bangalore. | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,53,010 |
| (2) Bose Research Institute, Calcutta. | Rs. 99,733 | Rs. 1,03,000 | Rs. 1,03,000 | Rs. 1,03,000 | Rs. 3,08,000 | Rs. 1,03,000 | Rs. 1,03,000 | Rs. 53,000 | Rs. 53,000 | Rs. 53,000 |
| (3) Indian Association for the Cultivation of Science, Calcutta. | Rs. 10,000 | Rs. 10,000 | Rs. 20,000 | Rs. 20,000 | Rs. 20,000 | Rs. 20,000 | Rs. 20,000 | Rs. 18,000 | Rs. 18,000 | Rs. 18,000 |
| (4) Asiatic Society of Bengal | Rs. 10,000 | Rs. 5,000 | Rs. 5,000 | Rs. 5,000 | Rs. 5,000 | Rs. 10,000 | Rs. 5,000 | Rs. 5,000 | Rs. 5,000 | Rs. 5,000 |
| (5) Bhanjankar Oriental Research Institute, Poona. | ... | ... | ... | ... | ... | 5,000 | 5,000 | 4,000 | 4,000 | 4,000 |
| (6) Indian Research Fund Association. | Rs. 3,00,000 | Rs. 6,75,000 | Rs. 7,05,071 | Rs. 7,50,000 | Rs. 7,50,000 | Rs. 7,50,000 | Rs. 7,50,000 | Rs. 1,50,000 | Rs. 1,50,000 | Rs. 1,50,000 |
| (7) Harcourt Butler Technological Institute, Cawnpore. | ... | ... | ... | ... | ... | 1,45,000 | ... | ... | 20,000 | 50,000 |
| (8) Imperial Institute, London | Rs. 16,000 | Rs. 16,000 | Rs. 16,000 | Rs. 16,000 | Rs. 16,000 | Rs. 16,000 | Rs. 16,000 | ... | ... | ... |
| (9) Calcutta School of Tropical Medicine. | Rs. 2,500 | Rs. 2,500 | Rs. 2,500 | Rs. 2,500 | Rs. 3,500 | Rs. 3,500 | Rs. 3,500 | Rs. 3,500 | Rs. 3,500 | Rs. 3,500 |
| Total (b) | Rs. 5,88,233 | Rs. 9,61,500 | Rs. 10,01,571 | Rs. 10,46,500 | Rs. 12,42,500 | Rs. 12,02,500 | Rs. 10,52,500 | Rs. 3,83,500 | Rs. 4,03,500 | Rs. 4,86,510 |

| | 1925-26. | 1926-27. | 1927-28. | 1928-29. | 1929-30. | 1930-31. | 1931-32. | 1932-33. | 1933-34. | 1934-35. |
|---|----------|----------|----------|----------|-----------------------------|-----------------------------|-------------------------------|------------------------------|------------------------------|----------------------------------|
| (c) <i>Research scholarships or help for training abroad in technical or scientific subjects.</i> | | | | | | | | | | |
| (1) For study of virus diseases of plants. | ... | ... | ... | ... | ... | ... | ... | ... | Rs. 2,550 | Ps. 4,200 |
| (2) For study of sugar technology | ... | ... | ... | ... | ... | ... | Rs. 12,470 | ... | ... | ... |
| (3) For training of Marine Engineering State Scholars. | ... | ... | ... | ... | Rs. 3,024 and £365-4-7 | Rs. 3,696 and £1,382-3-2 | Rs. 3,696 and £1,698-12-2 | £2,043-5-0 | £2,101-0-9 | £1,937-16-10 |
| (4) For training in Printing and allied trades.* | ... | £120 | £360 | £600 | £720 | £720 | £720 | £600 | £360 | £120 |
| (5) For study in Metallurgy† | £340 | £340 | ... | £340 | £340 | £340 | ... | ... | ... | ... |
| (6) For training in Art (Mural Painting.) | ... | ... | ... | ... | ... | ... | £2,542‡ | £21 | ... | ... |
| (7) For study in aviation§ | ... | ... | £185 | £1,059 | £4,346 | £4,270 | £3,164 | £913 | £818 | £1,200 |
| (8) For training of special class Railway apprentices in England. | ... | ... | ... | ... | ... | ... | Rs. 14,761 | Rs. 31,890 | Rs. 75,077 | Rs. 98,458 |
| Total (c)¶ | £340 | £460 | £545 | £1,999 | Rs. 3,624 and £5,771-4-7 | Rs. 3,696 and £6,712-3-2 | Rs. 31,127 and £8,124-12-2 | Rs. 31,890 and £3,677-5-0 | Rs. 78,227 and £3,279-0-9 | Rs. 1,02,658 and £3,307-16-10 |

* Figures shown against this item do not include the cost of tuition fees and passages, etc.

† Figures shown against this item do not include the cost of passages, etc.

‡ This is the total amount for three years, viz., 1929-30, 1930-31 and 1931-32.

§ Figures shown against this item are exclusive of the cost of passages, etc., incurred in India.

¶ Four scholarships of £240 each per annum tenable for three or four years were also granted—two in the year 1923 and two in 1924—for the study of mining and geology in England. In addition to this, charges on account of the passages of scholars to and from England as also their university and college fees, etc. in the United Kingdom were met by Government. Details are not readily available.

ENCOURAGEMENT TO TECHNOLOGICAL TRAINING IN INDIA.

658. ***Mr. Mathuradas Vissanji:** Will Government be pleased to state what steps are being taken to encourage technological training in India, and to what extent Government have financially helped such technological training in this country?

The Honourable Sir Frank Noyce: I would remind the Honourable Member that technical education is a provincial transferred subject and is thus ordinarily a matter for the Local Governments. There are, however, certain technical institutions which are maintained or aided by the Central Government and the attention of the Honourable Member is invited to the statement giving certain information in this connection which was laid on the table on the 2nd September, 1935 (pages 61-62 of Volume V, No. 1, of the Legislative Assembly Debates). The sum of Rs. 20,000 shown against the Harcourt Butler Technological Institute, Cawnpore, in that statement represents the annual grant sanctioned for the Sugar Section of that Institute for a period of five years from 1932-33. But if the Central Sugar Institute, which will be financed from Central revenues, comes into being this year as is expected, the grant to the Sugar Section will not be required as this Section will then be absorbed in the new Institute. Another grant of Rs. 30,000 a year has also been made to the Oil Section of the Harcourt Butler Technological Institute, Cawnpore, during the years 1934-35 and 1935-36. The question of continuing this grant during 1936-37 is under consideration.

EXEMPTIONS FROM CUSTOMS DUTIES OF GOODS IMPORTED FOR THE USE OF INDIAN STATES.

659. ***Mr. Mathuradas Vissanji:** Will Government be pleased to state whether any exemptions from customs duties are allowed on goods imported at British Indian ports and intended for the use of Indian States or their Rulers? If so, will Government please lay on the table a statement showing the customs duties thus sacrificed during the last five years?

Mr. A. H. Lloyd: The customs duty levied on goods transmitted through British India to Jammu and Kashmir is refunded to the State. No other Indian State enjoys this concession.

No duty is levied on articles imported for the personal use of a prince or chief whose permanent salute is not less than 19 guns, or of members of the family of such a prince or chief who reside with and are dependent upon him.

A statement showing the amount of customs duty involved during each of the last five years is laid on the table.

Customs duty refunded on goods transmitted through British India to the State of Kashmir and Jammu.

| | Rs. |
|-------------------|-----------|
| 1930-31 | 24,61,000 |
| 1931-32 | 28,06,000 |
| 1932-33 | 32,93,000 |
| 1933-34 | 25,68,000 |
| 1934-35 | 30,49,000 |

Customs duty remitted on articles imported for the personal use of Princes and Chiefs in India whose permanent salute is not less than 19 guns and of members of the families of such princes and chiefs who reside with and are dependent upon them.

| | Rs. |
|----------------|----------|
| 1931 | 3,93,000 |
| 1932 | 4,86,000 |
| 1933 | 3,77,000 |
| 1934 | 9,53,000 |
| 1935 | 4,51,000 |

EXEMPTIONS FROM PAYMENT AND REFUND OF INCOME-TAX.

660. ***Mr. Mathuradas Vissanji:** Are there in the Indian Income-tax laws and regulations or precedents made thereunder, any categories of income-receivers exempted from such taxation, or to whom taxes, initially collected from them, are eventually refunded? If so, will Government be pleased to lay on the table of the House an estimate of the amount of income-tax revenue sacrificed in this manner?

Mr. A. H. Lloyd: The classes of income which are exempt from income-tax are mentioned in section 4 (3) of the Indian Income-tax Act, 1922, and paragraphs 17 and 18 of the Income-tax Manual, copies of which are in the Library. It is not possible to calculate the amount of income-tax involved in these exemptions.

EMPLOYMENT OF CADETS OF THE "DUFFERIN".

661. ***Mr. Mathuradas Vissanji:** (a) Will Government be pleased to state the number of duly qualified Cadets passing out of the Training Ship "Dufferin" in the last three years, and mention how many of them have found employment in merchant ships plying along Indian coasts or engaged in the Overseas Trade of India?

(b) Will Government be pleased to state the names of the Shipping Companies, Indian as well as non-Indian, who have given employment to duly qualified Indian Cadets, and who are engaged in the Indian Coastal or Overseas Trade?

(c) Will they be pleased to state what steps they propose to take to ensure adequate employment of duly trained Indian Cadets in "adequate" numbers?

(d) Will Government be pleased to state if any undertakings have been exacted, or offered, by (i) Indian-owned shipping companies, or (ii) by non-Indian-owned shipping companies, engaged in the Indian Coastal or Overseas Trade, to employ Indian cadets, duly qualified in their vessels? If so, will they state the nature and terms of such undertakings? If not, will Government be pleased to state what steps they propose to take to obtain such undertakings, or make such arrangements, as would ensure proper employment to duly qualified Indian Cadets in adequate numbers?

(e) Will Government be pleased to state the nature of contracts, subsidies, or other advantages or concessions, offered to such Companies, for Government business, in the carriage of Mails, Stores, Government servants, Troops, etc., distinguishing between Indian, and non-Indian-owned Companies? Will Government be pleased to place on the table of the House a summary of such contracts, concessions and payments in respect of the same, during the last five years?

(f) Will Government be pleased to state when the Mail Contracts with the P. & O. Steamship Company, and the B. I. S. N. Company are next due for renewal; and whether, at the time of such renewal, if decided upon, Government would insist upon conditions for renewing such contracts or concessions regarding the employment of duly qualified Indians in adequate numbers?

The Honourable Sir Muhammad Zafrullah Khan: (a) During the last three years (*i.e.*, 1933 to 1935) 44 *ex*-“Dufferin” cadets obtained their Certificates of Competency as 2nd Mates, of whom 29 are at present serving with Shipping Companies. The attention of the Honourable Member is in this connection invited to the reply given by me to part (a) of Mr. M. Asaf Ali’s starred question No. 456.

(b) Indian Companies:

- (1) The Scindia Steam Navigation Company.
- (2) The Bombay Steam Navigation Company.
- (3) Messrs. Cowasjee Dinshaw and Brothers.
- (4) The Eastern Steam Navigation Company.

Non-Indian Companies:

- (1) The British India Steam Navigation Company.
- (2) The Asiatic Steam Navigation Company.

(c) and (d). A number of shipping companies have, from time to time, given assurances in general terms of their willingness to employ duly qualified *ex*-cadets of the Training Ship as officers in their vessels. The whole question of the employment of *ex*-“Dufferin” cadets is receiving the earnest consideration of Government and they have again addressed shipping companies in the matter recently.

(e) The information is being obtained and will be laid on the table in due course.

(f) The present agreement with the British India Steam Navigation Company expires on the 31st March, 1937. As regards the remainder of the question, I would invite the Honourable Member’s attention to the reply given by me on the 14th February, 1936, to parts (e) and (f) of Mr. Asaf Ali’s starred question No. 456.

TRAINING OF INDIAN APPRENTICES IN THE ESTABLISHMENTS SUPPLYING STORES TO THE GOVERNMENT.

662. ***Mr. Mathuradas Vissanji:** (a) Will Government be pleased to lay on the table of the House a statement of the orders placed for stores required for the Government of India or for the Provincial Governments, and for the Indian Railways, during the last five years, giving the names of firms or companies supplying such stores, in (i) Britain; (ii) other European countries; (iii) America, and (iv) Japan, together with the amounts of the orders placed in all cases where the value of the orders exceeded £1,000 in each year?

(b) Will Government be pleased to indicate, in the statement made in answer to part (a), the discount, if any, obtained from the suppliers in each instance?

(c) Will Government be pleased to indicate, in the statement made in answer to part (a), the number of Indian apprentices admitted for training in any of the establishments supplying stores to the Government of India, the Provincial Governments, or the Indian Railways?

(d) Will Government be pleased to state the number of requests for apprenticeship training in factories and workshops—outside India, received from Indian students abroad, either by the office of the High Commissioner, or independently? In how many cases have such requests been fulfilled? In how many cases have such requests been negatived? What have been the reasons, if any, for the refusal by any firms or companies to admit Indian students as apprentices in their workshops or factories?

(e) Will Government be pleased to state if, while placing orders for stores supplies to India, any conditions are made with the suppliers as to the admission for training of Indian apprentices in the factories or workshops under the management of such suppliers? If not, will Government be pleased to state the steps they propose to take for securing such training to Indian students?

(f) Will Government be pleased to lay on the table of the House a statement showing the employment obtained by Indian students, having received proper apprenticeship training in Indian, or foreign factories or industrial establishments, in India, in Indian, or non-Indian, concerns engaged in corresponding industries in this country?

The Honourable Sir Frank Noyce: (a) I would refer the Honourable Member to the annual reports on the work of the India Store Department, London, which show the value of the stores purchased by that Department, classified by countries of origin. Copies of the reports are available in the Library of the House. The fuller particulars desired by the Honourable Member are not available, and could not be compiled without a disproportionate amount of labour and expense.

(b) Stores are ordinarily purchased on the basis of tenders showing net prices, and except in very special cases, the lowest satisfactory tenders are accepted. No separate account is maintained of any discount allowed by tenderers in their quotations.

(c) and (d). All the information available is contained in the annual reports on the work of the India Store Department, and the High Commissioner's Education Department, London, to which attention is invited. Copies of these reports are available in the Library of the House.

(e) No. The general policy followed by Government in the placing of orders for stores abroad is to give preference to firms who offer facilities for the practical training of Indian students, if their tenders are equally favourable in all other respects. All possible steps are already taken by the High Commissioner to secure training facilities for Indian students.

(f) The information is not available.

HIGH LEVEL OF AIR MAIL POSTAGE RATES IN INDIA.

663. *Mr. Mathuradas Vissanji: (a) Will Government be pleased to state the reasons for maintaining the higher postal rates for correspondence from this country to Great Britain and other countries in Europe, by the Air-Mail, as compared to similar rates for such correspondence from those countries with India?

(b) Will Government be pleased to place on the table of the House statistics regarding the growth of Air-Mail traffic with Great Britain and European countries, during the last five years, the number of accidents or delays in the receipt and distribution of such Mails, as well as the amount of subsidy given to such Air-Mail carriers? Will Government be pleased to state the principles which regulate their policy in granting such subsidies?

(c) Will Government be pleased to state whether they have received any representations from Commercial Associations in this country, complaining about the unduly high level of Air-Mail rates in India, and if so, will they please indicate what replies Government have made to such representations?

(d) Have Government received any representation from Commercial Associations in this country regarding the disproportionately high level of postal charges for correspondence with European countries and with countries of the British Empire? If so, will they be pleased to indicate the replies made to such representations?

The Honourable Sir Frank Noyce: (a), (c) and (d). As stated by the Honourable Member in parts (c) and (d) of his question, Government have received representations from some commercial Associations. A copy of a memorandum which was sent in reply to these representations is placed on the table of the House. This memorandum also contains the information asked for by the Honourable Member in part (a) of his question.

(b) The Honourable Member's attention is invited to Appendices I to VII of the Report on the Progress of Civil Aviation, India, 1934-35, a copy of which is in the Library of the House. Government have no information regarding accidents occurring outside India. The delays occurring on the scheduled air mail services to India are shown in Appendix VII of the Report referred to. The number of accidents and delays which occurred up to the end of November, 1935, on the internal air mail services in India is as follows:

Tata Sons' Karachi-Madras service:

(From 15th October, 1932).

Delays 6. Accident. 1.

I. N. A.'s Karachi-Lahore service:

(From 4th December, 1934).

Delays 12. Accident nil.

As regards subsidies, the Honourable Member's attention is invited to my speech in this House on the 20th September, 1933, on a motion for a supplementary grant for Civil Aviation and to the reply given on the 19th March, 1934, to part (a) of Mr. D. K. Lahiri Chaudhury's question. In the matter of granting subsidies, Government have not laid down any general policy, but consider each case on its merits.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Memorandum.

From articles appearing in the public press from time to time and from representations received from certain Chambers of Commerce it would appear that there is a great deal of misunderstanding regarding the principles and considerations on which postage rates and air surcharge fees are fixed on letters, etc., to foreign countries.

It is urged that while the postage rate on letters from England to India is 1½d. the charge in the reverse direction is 2 annas 6 pies and in the case of air mail letters, while the charge from England to India is 6d. that from India to England is 7½ as. This state of affairs is alleged to be an inequitable arrangement and the Indian Post Office is suspected of making an unfair profit in the matter. In order to remove the misapprehension it is necessary to explain the whole basis on which foreign rates of postage are fixed and to show why the arrangements now in existence are not inequitable or unjust.

Prior to 1874 the foreign post of every country was regulated by an agreement concluded by it separately with every other country. The postage was governed by weight as well as by distance and it varied according to the route followed. Every country claimed transit charges and the total postage was made up of the inland postage rate *plus* the charges claimed on each letter by every country through which it passed as well as by the country of destination. In the year 1874 an international meeting was held at Berne (Switzerland) and at this meeting a postal convention was drawn up between the European countries. This convention replaced about 1,000 special agreements by a single convention and substituted a multitude of postage rates by a tariff expressed in a few lines. One union rate of postage was established with all foreign countries who were members of the Union. India was one of the earliest non-European countries which joined the Universal Postal Union. The Convention has been revised from time to time in congresses which are held in different parts of the world once every five years and the last congress was held in Cairo in 1934. All the civilized countries of the whole world are now members of the Universal Postal Union and have subscribed to the Universal Postal Convention. This convention contains a very large number of provisions to govern the postal transactions of countries with each other but the basic principles are the following :—

- (1) all the countries which have subscribed to the convention form a single postal territory for the reciprocal exchange of correspondence;
- (2) freedom of transit for mails is guaranteed throughout the countries of the Union;
- (3) rates of postage to be charged on the different classes of correspondence (letters, postcards, printed papers, business papers) for each class are fixed in terms of gold currency, certain minimum and maximum charges being laid down. The rates of postage must be uniform to all foreign countries, and are fixed to the nearest equivalents in the local currency of the country;
- (4) the first and subsequent units of weight for each class of correspondence are also laid down; these are on the metric system but all countries are allowed to fix the units of weight to the nearest equivalent in ounces or parts thereof if the metric system is not in force in their country.
- (5) each country keeps the whole of the postage collections which it makes on correspondence posted in that country for foreign countries;
- (6) every country undertakes the free distribution and delivery of articles of correspondence brought to its frontier station from any other country;
- (7) it is permissible for countries to form restricted unions within the Universal Postal Union for the purpose of adopting rates of postage lower than those fixed by the convention.

It will be seen therefore that within the minimum and maximum fixed by the convention, every country is free to fix its postage rates on correspondence to foreign countries. India has fixed the postage rate to foreign countries at 3 as. 6 p. for the first ounce for letters and of 2 as. for postcards. *These are well within the maxima prescribed by the convention.* India has also joined the restricted Union of British Empire countries, (of which Egypt is also a member) within which a lower postage rate is permitted to be fixed and this rate is 2½ as. for the first ounce for letters and 2 as. for postcards. In fixing these rates India has to consider her own financial position and her local circumstances. As each country keeps all the postage collections on letters posted in that country for foreign countries there is and can be no element of reciprocity. It is open to a country to have an unnecessarily high inland postage rate and to utilise the profits made from such a high charge to meet the loss incurred on giving a low rate of postage for foreign letters. Countries which are industrially and commercially highly developed would follow such a procedure in order to encourage the export trade of the country. That there is no element of reciprocity in the matter will be clear from the following facts.

The postage rate from India to foreign countries other than countries of the British Empire is 3 as. 6 p. for the first ounce. The postage rates for foreign countries for the initial weight for letters are from *Austria 6 as., France 4 as. 3 p., Germany 4 as. 3½ p., Holland 3½ as., Italy 4 as. 8 p., Switzerland 4 as. 24 p., the United States of America 3 as. 7½ p., Russia 5 as. 7½ p. and Japan 3 as. 4½ pies. As regards countries of the British Empire the postage rate from India is 2 as. 6 pies for the first ounce. The rates from countries of the British Empire to India are Australia 2d., Canada 3 cents (=1½ pence), Great Britain 1½d., Irish Free State 2d., New Zealand 1d., South Africa 1d. It is to be noted that these rates are to all countries of the British Empire and therefore while Great Britain charges 1½d. for the mails from Great Britain to countries of the British Empire, Australia, and the Irish Free State charge 2d., while South Africa and New Zealand charge 1d.

It will, it is hoped, be clear from the above that there is no element of inequity or unfairness in India charging 2½ as. postage for a letter to Great Britain while Great Britain charges 1½d. for letters to India. In fixing its charges the Indian Posts and Telegraphs Department has taken into consideration its own present financial position as well as other local circumstances. As for Great Britain, her inland postage rate is 1½d. for the first unit of weight for letters, which is higher than the postage rate charged in India for the first unit of weight, namely, 1 anna. Great Britain is about one-twelfth the size of India, she has excellent communications in the way of railways and asphalted roads; she deals with large masses of correspondence across comparatively short distances, these large masses being due to the high literacy of the population and her highly developed industries and trade. The workable capacity of the postal staff is therefore fully utilised. In India, the postal department has to deal with comparatively small quantities of correspondence across vast distances; literacy is low and the total volume of postal traffic is comparatively low; the country is mainly agricultural and trade and industry have not developed to the same extent as in Great Britain. Mails have to be carried by men, camels or carts and the cost is consequently comparatively high, even after allowing for the lower rates of remuneration paid. The postal staff has a large amount of unutilised capacity owing to the smallness of the traffic, e.g., a village postman handles only about 25 letters each trip while he could handle 200 but he has to be employed all the same. In spite of all these factors India has fixed a rate of postage on inland letters which is 33 per cent. lower than that in Great Britain. The very large surplus of revenue secured in Great Britain through the high inland postage rate is utilised to give a cheap rate of postage for Empire countries in the interests of the trade and industry of the country. India is far from being in a comparable position and therefore the criticisms made are entirely misplaced. In India, the foreign post is mainly utilised by a class of people who can afford to pay the comparatively higher rates of postage while the inland rate has to be kept at a low figure in view of the comparatively smaller capacity of the majority of the population to pay. In view of the provisions of the Universal Postal Convention it is out of the question for India to fix in relation to each country a rate of postage on letters equivalent to what that country charges for letters intended for India. If any reduction in the rates of postage on letters to Empire countries or to other countries of the world has to be made, that will have to be decided on considerations of finance alone.

As regards the rates charged on letters conveyed by air, such charges are made up of the postage and the air fee. The postage charged is the same whether a letter is carried by surface transport or air transport. The air fee is fixed entirely on consideration of what the postal department has to pay to the carriers by air. These carriers are paid by weight *cum* distance and special agreements exist with each carrying company. The air fee on letters is uniform from all places in India within which letters are carried over long distances by air. The air fees have been so fixed that, on the whole, the total amount earned by such air fees covers the amounts paid by the postal department to the air carriers. Here again there can be no element of reciprocity. It is open to any country to charge a lower air fee on letters and to make up the amount payable to the air carrying companies by means of a subsidy paid out of the surplus revenue earned by the post office or by a special subsidy from the revenues collected by general taxation. In India Government have followed the principle that the person who benefits by utilising the air service should pay for it and that it would not be equitable to make the user of the inland or foreign post or the general taxpayer pay for the benefit of the user of the air mail. The Indian Post Office has definitely and consistently followed the policy of reducing the air fees as and when they have been able to secure lower rates from the air carrying companies and during the last few years the rate has been reduced so far as the

*NOTE.—The conversion from local to Indian currency has been made on the best information available but is liable to variation from time to time.

United Kingdom is concerned, from 10½ as. for the first ½ oz. to 7½ as. Any further reduction must depend upon the amounts paid to the air carrying companies being reduced.

It is hoped that this detailed explanation will make clear to the critics that there is no injustice or inequity in the charges made by the Indian Post Office and that the Indian Post Office has been following the sound policy of seeing that the user of the post office pays for the services rendered and that the general tax payer is not called upon to subsidize the postal service whether by surface transport or by air.

PROTECTION OF THE HARDINGE BRIDGE AT SARA.

664. ***Mr. Akhil Chandra Datta:** (a) Are Government aware of the publications on the subject of the Hardinge Bridge over the lower Ganges at Sara by Mr. G. C. Banerjee, a Consulting Engineer of Calcutta, before and after the 3rd of April, 1934, on which date Mr. S. C. Mitra, then a Member of this House, asked questions with regard to the protective measures for the Bridge?

(b) Is it a fact that the Committee of Experts appointed by the Government of India to investigate into the matter were divided in their opinions and arranged for a study of the question with model tests at Poona, without giving Mr. Banerjee an opportunity of discussing his views with the experts?

(c) Will Government be pleased to state the amount of expenditure that has been incurred up to date in protecting the Bridge since the Bridge was opened to traffic in 1915, over and above the usual expenditure on maintenance? How much did the model tests at Poona cost?

(d) Is it a fact that the results of the model tests at Poona were discussed at Delhi by the Committee of Experts on the 1st and 2nd of November, 1935, and what are the indications of those tests as to the remedial measures with an eye to safety?

(e) Has the attention of Government been drawn to the publication on the subject of the Hardinge Bridge at Sara in the *Indian Engineering* of March 1935, pages 5 and 36 and the notes which appeared in the said journal of June 1935, page 11? Will Government be pleased to state if there is any difference between the results of the tests mentioned above and the views as propounded by Mr. Banerjee? If so, what?

(f) Have Government been able to come to any definite decision as to the steps to be taken to protect the Bridge? If so, what and how much will the scheme cost?

(g) Is it not a fact that the problem of the protection of the Hardinge Bridge has been a constant source of trouble involving the expenditure of a mint of money for about the last quarter of a century? Have Government now realised that the excess expenditure of public money over and above the usual expenditure on maintenance could have been avoided by further and better investigations at the outset?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The experiments at Poona were carried out to establish the conditions which existed during the flood season at the Hardinge Bridge and to show what the effects of protective works were on these conditions, and in what way the protection works should be modified or realigned. As a

result the original opinions of the Committee underwent some modification. Mr. Banerjee's articles were carefully examined by the Committee, but did not appear to contain any matter on which further explanation by him was necessary.

(c) It is estimated that an expenditure of Rs. 163.29 lakhs will have been incurred up to the end of 1935-36 including Rs. 51 thousands on the model experiments.

(d) Yes. The result of the experiments shows that the works proposed should provide satisfactory protection.

(e) Yes. The experiments made at Poona were on remedial measures proposed to be carried out at the Hardinge Bridge. In these articles Mr. Banerjee proposed to revive dead rivers leaving the Ganges upstream of the bridge—a much larger and more expensive scheme than the proposals which were undergoing test.

(f) Government are now considering the report of the Committee. Estimates of the cost of the works proposed have not yet been prepared.

(g) There was no unusual trouble till 1930. Government do not agree that any further and better investigations could have been made before the bridge was built.

Mr. Akhil Chandra Datta: With regard to clause (f), may I know what has been the decision as to the steps to be taken to protect the bridge?

The Honourable Sir Muhammad Zafrullah Khan: I have said that Government are considering it, and obviously no decision can have been reached yet.

ESTABLISHMENT OF A HYDRAULIC RESEARCH LABORATORY IN BENGAL.

665. ***Mr. Akhil Chandra Datta:** Have Government come to any decision on the question of the establishment of a Hydraulic Research Laboratory in Bengal so that the problems in connection with the waterways of Bengal could be satisfactorily solved?

The Honourable Sir Frank Noyce: No proposal for the establishment of a Hydraulic Research Laboratory in Bengal has been made to the Government of India. In any case the matter would be primarily one for the Government of Bengal.

RAILWAY FARE REALISED BETWEEN BHARAMARA AND PAKSEY STATIONS ON THE EASTERN BENGAL RAILWAY.

666. ***Mr. Akhil Chandra Datta:** Is it a fact that the fares that are realised on passenger and goods traffic on the Eastern Bengal Railway between the stations Bharamara and Paksey across the Hardinge Bridge—a distance of about six miles—are much in excess of the usual rates? If so, will Government be pleased to state the total amount that has been realised upto date on account of these excess rates? And how long do Government contemplate to keep these excess rates in force?

The Honourable Sir Muhammad Zafrullah Khan: An extra pontage charge, equivalent to a charge for 18 miles, is levied on all traffic carried over the Hardinge Bridge. The total amount recovered from the time the bridge was opened in 1915 up to the 31st March, 1935, approximates to Rs. 286 lakhs. There are no proposals for abandoning this extra charge.

DEFECTS IN THE BAGAHA BRIDGE ON THE BENGAL AND NORTH WESTERN RAILWAY.

667. ***Mr. Akhil Chandra Datta:** Will Government be pleased to state if anything is wrong with the Bagaha Bridge on the Bengal and North Western Railway over the Gondak? If so, what is the nature of the defect and what steps do the Railway authorities propose to take to tackle the problem?

The Honourable Sir Muhammad Zafrullah Khan: Yes. The Bagaha bridge over the Gandak river was seriously damaged in 1924, and as the river has since moved away from the bridge, it is useless to reconstruct it at the original site. Proposals to build another bridge about 60 miles down stream have been considered, as part of the proposed Chakia-Sidhiwalla project, but this project does not appear to be finally justified at present.

SINKING OF PIERS OF THE BALLY BRIDGE OVER THE HOOGLY.

668. ***Mr. Akhil Chandra Datta:** (a) Is it a fact that some of the piers of the Bally Bridge over the Hoogly have sunk?

(b) Why was the Bridge not opened to traffic although this was completed long ago?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) The Calcutta Chord Railway, on which the Bally Bridge is situated, was opened to goods traffic on the 1st February, 1932. As the passenger traffic existing at present can be handled without passing over the Chord line, there is no intention at present of opening the line for passenger traffic.

REPORT OF THE COMMITTEE RE THE CONDITIONS OF AGRICULTURISTS AND CESSSES LEVIED ON ISTAMRARDARS IN AJMER.

669. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that a committee was appointed to inquire into the condition of the agriculturists of Ajmer as also about the propriety of the various cesses levied on the Istamrardars in 1931?

(b) When did the above committee submit its report?

(c) What were the conclusions and the recommendations of the committee?

(d) Has any effect been given to these recommendations? If so, to what extent?

(e) Do Government intend to publish the report of the said committee? If so, when?

Sir Aubrey Metcalfe: (a) and (b). A Committee was appointed in 1932. Its report was received by the Government of India at the end of August, 1933.

(c) to (e). Government do not propose to publish the Committee's report. They have been making further enquiries and hope to be able to take action shortly. Such action as it may be decided to take will be made known to the public as soon as practicable.

Prof. N. G. Ranga: Has this Committee begun its work at all?

Sir Aubrey Metcalfe: I have said it has already sent its report to the Government of India.

Prof. N. G. Ranga: When will Government publish its report, Sir?

Sir Aubrey Metcalfe: I have said that Government do not propose to publish its report.

Prof. N. G. Ranga: Why not, Sir?

Mr. President (The Honourable Sir Abdur Rahim): Mr. Paliwal, next question.

SUPERSESSION OF THE AJMER MUNICIPAL COMMITTEE.

670. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the date of the supersession of the Municipal Committee of Ajmer?

(b) Will Government please state the balance left by the last superseded Committee, and the closing balance of the new nominated Committee after one year's working?

(c) Will Government please state the difference between the amount spent by the old and new committees over education, sanitation and health?

(d) Is it a fact that two of the nominated members besides the Chairman were also members of the Enquiry Committee set up to enquire into the affairs of the last Committee?

(e) What were the special reasons for nominating the said persons?

(f) Will Government state the amount spent by the superseded Committee over the establishment charges and the amount spent by the new Committee?

(g) Has any action been taken by the new Committee to remedy the defects pointed out by the Enquiry Committee in their report? If so, are Government prepared to publish them seriatim?

Sir Aubrey Metcalfe: (a) 1st August, 1934.

(b) Rs. 2,76,906-18-8 and Rs. 3,17,688-2-1.

(c) On the heads mentioned the new Committee spent Rs. 863 and Rs. 1,143 respectively more than the old Committee.

(d) Two of the present nominated members were members of the Enquiry Committee but not the Chairman.

(e) They are highly respected citizens and their knowledge of the defects of the old Committee was expected to be of great value to the new Committee

(f) The new Committee spent Rs. 1,04,227 as against Rs. 96,479 spent by the old Committee. The increase is due to the need of employing additional staff to make up arrears left by the old Committee.

(g) To remedy defects pointed out by the Enquiry Committee the following steps have been taken:

- (1) A municipal Committee has been appointed whose members can be relied upon to carry out their duties conscientiously, especially in regard to keeping a careful watch over income and expenditure and the work of the executive staff
- (2) A qualified medical officer of health and a full time Chairman have been appointed.
- (3) Powers have been delegated to sub-committees and officials
- (4) The running of the octroi department has been improved by placing it in the charge of an efficient superintendent.
- (5) Immediate action is taken to deal with encroachments on *nazul* and Municipal land.
- (6) Building applications are dealt with promptly and within the specified period and no irregular constructions are condoned on payment of a nominal penalty
- (7) An air survey has been made for town planning purposes, as the old Committee failed to maintain any accurate plan of the city and the suburbs.
- (8) More efficient staff has been employed to deal with sanitary matters and drainage has been greatly improved. Further projects are in hand.
- (9) The municipal records and the internal efficiency and organization of the office have been improved and will continue to improve. Over 10,000 papers undisposed of by the old Committee have been found and are being promptly dealt with. Strict discipline is imposed in the office and fully qualified men are given appointments.

ANNUAL REPORT OF THE NEW AJMER MUNICIPAL COMMITTEE.

671. ***Pandit Sri Krishna Dutta Paliwal:** Is it a fact that the new Municipal Committee of Ajmer has not yet published its annual report? If so, will Government please state the reasons for not doing so?

Sir Aubrey Metcalfe: The report has been published.

PLANS FOR THE CONSTRUCTION OF NEW BUILDINGS IN AJMER.

672. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the number of applications received by the nominated Municipal Committee of Ajmer for sanctioning plans for the construction of new buildings?

(b) How many of them were rejected or held up and how many were accepted?

(c) Will Government state the reasons for rejection or holding up of such large number of applications?

(d) Are Government aware of the inconvenience and financial loss caused to the applicants?

(e) Under what law are the applications rejected or held up without assigning any reasons to the applicants?

Sir Aubrey Metcalfe: (a) The number of applications received during 1935 was 599.

(b) 312 were rejected and 287 sanctioned.

(c) Rejections are on account of:

(1) plans supplied by applicants being inaccurate or incomplete.

(2) proposals being not in accordance with the rules.

(3) proposals being for construction in areas where the old Committee had permitted haphazard buildings with no proper layout schemes, resulting in the insanitary condition of the city being repeated in the new suburbs.

(d) Yes, but it is satisfied that the Committee is doing its best to minimise it.

(e) Under section 198 of the Ajmer-Merwara Municipalities Regulation, 1925 (VI of 1925).

CHAIRMAN OF THE AJMER MUNICIPAL COMMITTEE.

673. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the reasons for appointing a paid chairman of the Ajmer Municipal Committee?

(b) Will Government state the salary and other allowances, separately, drawn by the new Chairman, Mr. Burt?

(c) Is it a fact that Mr. Burt was employed in the Irrigation Department of the Punjab Government?

(d) What special experience does Mr. Burt possess regarding municipal administration?

Sir Aubrey Metcalfe: (a) On the report of the special sub-committee of the Ajmer Municipal Committee, and as the work of the Chairman of the nominated Committee was considered sufficient to take the whole of the incumbent's time.

It was also recommended that it was necessary to have a qualified Engineer in this post as the majority of schemes to be taken up for the improvement of Ajmer were such that they could only be taken in hand by an Engineer.

(b) The new Chairman, Mr. Burt draws:

| | |
|-------------------------------------|------------------------------|
| Salary | Rs. 1,125 per mensem. |
| Foreign service allowance | Rs. 25 per cent. of his pay. |
| Sterling overseas pay | £30 per mensem. |
| Conveyance allowance | Rs. 10 per mensem. |

(c) Yes.

(d) No Engineer with special sanitary engineering qualifications was obtainable. Mr. Burt was, therefore, selected. In addition to technical Engineering qualifications, he has had three years experience of Secretariat work in the Public Works Department of the Government of the Punjab. His Secretariat work was specially concerned with establishment questions. Mr. Burt was considered eminently suitable for appointment as Chairman of the Ajmer Municipal Committee.

Mr. T. S. Avinashilingam Chettiar: Did Government not get a qualified Indian for this post?

Sir Aubrey Metcalfe: It is only because they could not find one that they did not appoint an Indian.

Mr. T. S. Avinashilingam Chettiar: Did they advertise for it?

Sir Aubrey Metcalfe: I must have notice of that question.

Pandit Sri Krishna Dutta Paliwal: May I know what steps Government took to ascertain if a qualified Indian was available?

Sir Aubrey Metcalfe: I said I must have notice of that to enable me to find out what steps were taken.

Seth Goind Das: Were any steps taken to appoint an Indian?

Sir Aubrey Metcalfe: If you will put down a question, I shall find out.

POSTPONEMENT OF THE APPOINTMENT OF OCTROI SUPERINTENDENT BY THE AJMER MUNICIPAL COMMITTEE.

674. ***Pandit Sri Krishna Dutta Paliwal:** (a) Are Government aware of the fact that the nominated Municipal Committee of Ajmer advertised for the post of Octroi Superintendent?

(b) Is it further a fact that the Committee called four applicants for interview?

(c) What were the reasons that led the committee to change its mind after incurring so much expenditure and made it to postpone the appointment of the new Superintendent?

(d) What were the reasons for putting the organising officer of the Ajmer Municipal Committee in charge of the Octroi Department?

(e) Has the organising officer submitted his scheme for organising the Municipal Office? If not, why not?

Sir Aubrey Metcalfe: (a) Yes.

(b) Yes.

(c) Only one applicant was suitable but his terms were considered to be unacceptable.

(d) He was considered to be suitable for the post and it was economical to give him the charge.

(e) Yes, it is under consideration.

Pandit Sri Krishna Dutta Paliwal: May I know if this official is related to one of the members of the Committee?

Sir Aubrey Metcalfe: I have no information to that effect.

DEATHS IN AJMER CITY DUE TO TUBERCULOSIS.

675. *Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state the percentage of the deaths in Ajmer City due to tuberculosis during the last five years?

(b) Is it a fact that the number of such deaths is increasing?

(c) What steps has the Municipal Committee taken to check the epidemic?

Sir Aubrey Metcalfe: (a) The rate of deaths is as under:

| | | |
|----------------|------|-----------------------------|
| 1931 | 1.48 | per thousand of population. |
| 1932 | 2.15 | „ „ |
| 1933 | 3.33 | „ „ |
| 1934 | 3.22 | „ „ |
| 1935 | 5.66 | „ „ |

(b) Government cannot say definitely that deaths from tuberculosis are actually increasing. The figures given above would seem to indicate an increase, but this may be explained partly by the fact that the Municipality have engaged a qualified doctor who is employed solely on tuberculosis work, and more accurate diagnosis and registration is, therefore, now being done than heretofore.

(c) It is believed that the main causes of tuberculosis in addition to malnutrition are over-crowding and dampness. To remove over-crowding the Municipal Committee have a town-planning scheme in hand, and in the city extensions restrictions are to be imposed in regard to the width of public passages and the height of buildings in proportion to the width of streets. The problem of dampness is being dealt with by providing impervious drains and soakage pits, and nearly one-third of the town has already been drained.

Pandit Sri Krishna Dutta Paliwal: May I know if over-crowding is the sole cause of the epidemic?

Sir Aubrey Metcalfe: I have explained that there are two main causes; one is over-crowding, and the other is dampness.

Mr. S. Satyamurti: How long has Mr. Burt been Chairman, and have deaths been increasing during his period?

Sir Aubrey Metcalfe: I cannot tell the Honourable Member the exact date, but he has only just been appointed. He is still referred to as the "new Chairman".

HOUSE SEARCHES IN CONNECTION WITH THE INVESTIGATION OF DOGRA SHOOTING CASE.

676. *Pandit Sri Krishna Dutta Paliwal: (a) How many houses were searched in connection with the investigation of the Dogra Shooting case in Ajmer, Agra, Delhi and other places?

(b) Will Government please state the names of persons whose houses were searched?

(c) Will Government please state the number of persons searched together with their names?

(d) Will Government please state the incriminating articles, literature, etc., found in the houses searched?

(e) Will Government please state the number of officials and other persons, appointed on special duty, and imported into Ajmer from other provinces in connection with this case?

(f) Will Government please state the total amount sanctioned by the Government of India for this case and the amount spent by other Provincial Governments?

(g) Will Government please state whether a special jail was erected for the sole purpose of this case? If so, why?

(h) Is it a fact that Government intended to start a conspiracy case in this connection?

(i) Will Government please state the number of persons together with their names, who were arrested and detained in jail in connection with **this case**? What was the duration and detention in each case?

(j) Is it a fact that some of the persons searched have never taken part in politics?

(k) What were the reasons for such indiscriminate searches, arrests and detentions?

(l) How many persons are still on bail in connection with this case?

(m) Were the papers of Syt. Jwala Pershad examined by any judicial authority, before he was put under Regulation III of 1818? If not, why not?

The Honourable Sir Henry Craik: (a) to (l). In the public interest, I am not prepared to give the information asked for.

(m) His case was examined by two judges as soon as it was feasible to make arrangements.

APPLICATION OF THE PUNJAB CRIMINAL LAW AMENDMENT ACT TO AJMER.

677. ***Pandit Sri Krishna Dutta Paliwal:** Will Government state the reasons or reason for the application of the Punjab Criminal Law Amendment Act to Ajmer?

The Honourable Sir Henry Craik: The Punjab Criminal Law Amendment Act was extended to Ajmer because of the development of the terrorist movement in that area. A note giving details of this movement is laid on the table

Note.

The geographical position of Ajmer-Merwara has for many years made it a convenient retreat for up-country terrorists, and their example, reinforced by the influence of local agitators, has encouraged the growth of a terrorist party in Ajmer, with branches in the adjoining States of Rajputana. During the last three years this

party has shown considerable activity and has been responsible for no less than three outrages. In April, 1932, an attempt was made to assassinate the Commissioner of Ajmer with a revolver which, fortunately, misfired. The investigation of this attempt led to the recovery of revolver, ammunition and two bombs, and indicated the existence of a regular conspiracy against the Commissioner's life. In November 1933, a young political ex-convict was arrested as he was about to attack the Chief Medical Officer of Rajputana in his house with a dagger. In July 1934, three revolvers, a quantity of ammunition, some bombs and materials for manufacturing them, were found in an empty quarter in the compound of the Mayo College, Ajmer. In November of the same year a youth was arrested at the Ajmer railway station with a Webby service revolver in his possession. When his house in Ajmer was searched revolutionary literature and a pistol were recovered. Finally, on the 4th April 1935, when Mr. Dogra, Deputy Superintendent of Police, Ajmer, was bicycling through the town at night accompanied by a Sub-Inspector of Police, he was fired at by a youth and dangerously wounded, shots being fired after the officer had already been wounded and when he was lying helpless. The Sub-Inspector who made a gallant attempt to arrest the would-be assassin, was also fired at and severely wounded. In order to check this growing menace to the public security of Ajmer, the Chief Commissioner has found it necessary to arm his Administration with the same emergency powers that are in force in the Punjab for the suppression of revolutionary activities.

Seth Govind Das: How many bombs were actually thrown in that area?

The Honourable Sir Henry Craik: The Honourable Member will see from the note. I do not think there were any cases of bomb throwing, but several bombs were found and there were several attempts to murder people.

Seth Govind Das: How many people were arrested on account of terrorist activities in that area?

The Honourable Sir Henry Craik: I have said in reply to the previous question that in the public interest I am not prepared to give the information.

Mr. S. Satyamurti: Did any overt acts of terrorism take place there?

The Honourable Sir Henry Craik: Yes; several.

Mr. Sri Prakasa: What is the definition of public interest?

HONORARY MAGISTRATES IN AJMER.

678. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the criterion by which appointments are made to the bench of Honorary Magistrates?

(b) Are Government aware that the bench of Honorary Magistrates in Ajmer consists of Professors, Seths and others who are unable to devote time to the work of the courts?

(c) Are Government aware that these benches usually sit from 4 p.m. and continue sitting till 7 p.m. and sometimes after dark, to the great inconvenience of parties and lawyers?

(d) Will Government please state the number of cases pending before each bench?

(e) Are Government prepared to consider the desirability of changing the time and fixing it between the usual court hours?

(f) Will Government please state the average disposal of cases by each bench and average time taken in the disposal of one case?

(g) Are Government prepared to consider the advisability of appointing such persons to the bench who are acquainted with the law and the English language and prepared to devote some time to the work?

(h) Are Government aware that for want of quorum and other flimsy grounds cases are adjourned from date to date for months?

Sir Aubrey Metcalfe: (a) The criterion observed by the Chief Commissioner, Ajmer Merwara, is the possession of qualifications likely to make a good Magistrate, *e.g.*, probity and the respect of their fellow citizens, combined with the possession of an adequate knowledge of the elementary principles of law and their practical application or with sufficient intelligence to acquire such knowledge

(b) It is not true that they are unable to devote time to the work of the Courts. It is, however, true that their hours of attendance are not so convenient to the public as would be the case if some of the magistrates were not men with business and professional occupations.

(c) Of the three sections into which the bench of magistrates is divided one usually sits from 3 P.M. to 5 P.M.; another from 3-45 P.M. to 6 P.M., and the third from 3-45 P.M. to 6-45 P.M.

The hours of attendance are later than would ordinarily be fixed were gentlemen with suitable qualifications and the necessary leisure available for appointment as Honorary Magistrates.

(d) The number of cases pending before each section of the bench at the close of the year 1935 was as under:

| | | | | | | | | |
|-------------|---|---|---|---|---|---|---|-----------|
| Section 'A' | . | . | . | . | . | . | . | 28 cases. |
| Section 'B' | . | . | . | . | . | . | . | 15 cases. |
| Section 'C' | . | . | . | . | . | . | . | 9 cases. |

(e) and (g). Government is anxious to secure gentlemen with suitable qualifications and the necessary leisure so that the hours of attendance may be changed to a more convenient time but it has not yet been found possible to secure a sufficiency of suitable honorary magistrates who fulfil these requirements

(f) The monthly average of the cases disposed of during 1935 by the three sections of the bench was 7.5, 3.8 and 4 respectively.

The average time taken in the disposal of one case was:

| | | | | | | | | |
|-------------|---|---|---|---|---|---|---|-------------|
| Section 'A' | . | . | . | . | . | . | . | 94.5 days. |
| Section 'B' | . | . | . | . | . | . | . | 111.6 days. |
| Section 'C' | . | . | . | . | . | . | . | 65.3 days. |

(h) No.

Seth Govind Das: Are Government aware that these honorary magistrates are generally called by the public "*annadi*" magistrates, because they do not know anything about the job for which they are appointed?

Mr. President (The Honourable Sir Abdur Rahim): Order, order: next question.

Mr. Muhammad Azhar Ali: Will Government kindly inform this House if there is any literary qualification or degree qualification fixed for the appointment of these honorary magistrates or illiteracy is the qualification?

Sir Aubrey Metcalfe: I have explained very fully what requirements are considered necessary.

PRIVATE COMPLAINTS FILED IN THE COURT OF THE CITY MAGISTRATE, AJMER.

679. *Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state the number of private complaints filed in the court of the City Magistrate of Ajmer during the last six months?

(b) Will Government please state the number of such cases kept on his own file and transferred to other stipendiary Magistrates or bench of Honorary Magistrates?

Sir Aubrey Metcalfe: (a) 167.

(b) (i) Kept on City Magistrate's file. 80 cases.

(ii) Transferred to stipendiary Magistrates: 28 cases.

(iii) Transferred to bench of Honorary Magistrates: 59 cases.

TYPES, ETC., REMOVED FROM THE FORMS PRESS, ALIGARH.

680. *Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that printing types, type metal, and type cases were removed from the Government of India Forms Press, Aligarh, in June or July, 1933, and disposed of in the absence of the permanent manager? If so, will Government please state why a deficit exists in the stock of these articles?

(b) What were the stocks in 1929, the receipts in 1930, 1931, 1932, 1933 and 1934, and the stocks in 1934 in respect of the above articles?

The Honourable Sir Frank Noyce: (a) The reply to the first part is in the negative. The deficit shown in the books was partly due to an error in accounting and partly to remelting of type and stereo plates and consequent loss by oxidation and removal of the dross.

(b) A statement is laid on the table.

Statement.

| Article. | Stock balance on 1st April 1929. | Receipts. | | | | | | Stock balance on 1st August 1934. |
|-----------------|----------------------------------|-----------|----------|----------|----------|----------|--|-----------------------------------|
| | | 1929-30. | 1930-31. | 1931-32. | 1932-33. | 1933-34. | 1934 from 1st April 1934 to 31st July 1934 | |
| | lbs. | lbs. | lbs. | lbs. | lbs. | lbs. | lbs. | lbs. |
| Printing types. | 72,087 | 7,172 | 3,429 | ... | 4,394 | 8,614 | 972 | 73,538 |
| Type Metal | | 6,136 | 4,207 | 450 | ... | 1,036 | .. | 5,647 |
| Type cases . | 800 | 60 | ... | ... | 32 | 114 | ... | 1,032 |
| | Nos. | Nos. | | | Nos. | Nos. | | Nos. |

ABOLITION OF THE POST OF ASSISTANT MANAGER, FORMS PRESS, ALIGARH.

681. *Pandit Sri Krishna Dutta Paliwal: Is it a fact that Government have abolished the post of Assistant Manager, Forms Press, Aligarh,

for future and have reduced the present scale considerably? If so, will Government please state the circumstances leading to the reduction of the salary of the post and changing its designation to that of an overseer?

The Honourable Sir Frank Noyce: It has been decided to convert the post of Assistant Manager, Formis Press, Aligarh, into that of an Overseer on lower pay when it is vacated by the present incumbent. The reduction of the pay and status of this post was made in connection with the general revision of the scales of pay in 1933.

APPOINTMENTS, BY COMMUNITIES, MADE IN THE FORMS PRESS, ALIGARH.

682. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the orders issued by Government, regarding the communal proportion are not observed in the industrial branches of the Government of India Press, Aligarh?

(b) Will Government please place on the table a statement showing the appointments, by communities, made during the last three years 1932, 1933 and 1934?

The Honourable Sir Frank Noyce: (a) I assume that the Honourable Member is referring to the orders designed to secure adequate representation of minority communities. If so, the answer is that these are being observed.

(b) A statement is placed on the table. This does not include appointments to inferior posts, to which the orders in question do not apply.

Statement showing appointments made to superior posts in the industrial establishment of the Forms Press, Aligarh, in 1932, 1933 and 1934.

1932—One Muslim.

1933—One Muslim.

1934—Two Muslims, two Hindus and a Christian.

EXPULSION FROM THEIR VILLAGE OF THE INHABITANTS OF MAUZA UJRAI IN THE AGRA DISTRICT.

683. ***Pandit Sri Krishna Dutta Paliwal:** (a) Have Government received the application of the inhabitants of Mauza Ujrai, Thana Khandauli, District Agra, regarding their expulsion from the village for 13 days from 18th to 30th October, 1935?

(b) Have Government taken any steps to remove the grievances of the villagers? If so, what? If not, why not?

(c) Will Government please state the reason or reasons for their expulsion?

(d) Will Government please lay the application on the table?

Mr. G. R. F. Tottenham: (a) to (d). No application has been received by the Government of India from the inhabitants of the village mentioned in question. They have, however, made enquiries in the matter and the facts are as follows: A battalion was carrying out training operations in the vicinity of Agra from October 18th to 30th and as ball ammunition was being used by the Machine Gun Company in an area adjacent to the village of Ujrai, it became necessary to take steps to prevent the inhabitants from entering the danger zone. Though the village itself was not within the danger zone and though there was thus no necessity for the inhabitants to evacuate the village a *bonâ fide* mistake was made by the police authorities as a result of which the inhabitants were asked to evacuate the village for a period of six hours from 6 A.M. to noon on two days only, October 18th and 19th, and not as the question suggests for a period of 18 days. When a complaint was made to the Collector, the mistake was discovered and it was explained that it was not necessary to evacuate the village in future while firing was going on. The Military authorities also reduced the hours during which field firing took place in order to lessen the inconvenience caused to the inhabitants. The Collector expressed himself entirely satisfied that the arrangement made caused no hardship or real inconvenience to the inhabitants.

Mr. Sri Prakasa: Was any compensation paid for this compulsory evacuation?

Mr. G. R. F. Tottenham: Yes: I imagine compensation was paid.

Mr. Sri Prakasa: Was only the Collector satisfied that no inconvenience had been caused, or were the inhabitants also satisfied?

Mr. President (The Honourable Sir Abdur Rahim): He has already said that compensation was paid.

Mr. Sri Prakasa: The Honourable Member has said that the Collector was satisfied that the arrangements he had proposed were fully satisfactory to the inhabitants concerned: I want to know whether the Collector alone was satisfied or whether the inhabitants also were satisfied.

Mr. G. R. F. Tottenham: We have no information to lead us to believe that the inhabitants were not satisfied. The Collector told us he thought that they ought to be satisfied.

Mr. Sri Prakasa: Would it not be right for the Honourable Member to inquire from the inhabitants concerned themselves as to whether they were satisfied or not; because the Collector did not suffer any inconvenience at all?

(No answer.)

Pandit Sri Krishna Dutta Paliwal: May I know what was the amount of compensation paid?

Mr. G. R. F. Tottenham: I should require notice of that.

Seth Govind Das: Were the inhabitants satisfied with that compensation?

(No answer.)

REGISTRATION OF HOMŒOPATHS UNDER THE INDIAN MEDICAL REGISTRATION ACT.

684. ***Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that Homœopaths are not registered under the Indian Medical Registration Act? If so, why?

(b) Is it a fact that in Government offices, only the certificate of a registered medical practitioner is accepted for sick leave?

(c) Is it also a fact that only the Allopaths are employed in Government services? If so, why?

(d) Will Government state why these facilities are given to Allopaths only and not to Homœopaths?

(e) Are Government aware that the Homœopaths enjoy these facilities in Germany and America?

Sir Girja Shankar Bajpai: (a) There is no such Act.

(b) A non-gazetted Government servant in superior service applying for leave on medical certificate is required to produce a certificate signed by a registered medical practitioner. In the case of a non-gazetted Government servant in inferior service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

(c) and (d). Certain appointments may be held only by persons who are registered under the Provincial Medical Acts. Medical Administration and Public Health being transferred provincial subjects the encouragement of Homœopathy and Homœopaths is primarily a matter for Local Governments.

(e) Government have no information.

Pandit Sri Krishna Dutta Paliwal: May I know what objection Government have to homœopaths being registered?

Sir Girja Shankar Bajpai: I have already stated that it is not for the Government of India to have either any objection or otherwise: it is for Local Governments to consider the matter.

Pandit Nilakantha Das: But there are centrally administered areas?

(No answer.)

ESTABLISHMENT OF HOMŒOPATHIC SCHOOLS, COLLEGES AND HOSPITALS, ETC.

685. ***Pandit Sri Krishna Dutta Paliwal:** Do Government intend to start Homœopathic Schools, Colleges, Hospitals, Dispensaries? If so, when? If not, why not?

Sir Girja Shankar Bajpai: The suggestion is primarily for the consideration of Provincial Governments.

LETTER TO GOVERNMENT FROM THE GENERAL SECRETARY OF THE ALL-INDIA HOMŒOPATHIC MEDICAL ASSOCIATION.

686. ***Pandit Sri Krishna Dutta Paliwal:** (a) Have Government received the letter of the General Secretary of the All-India Homœopathic Medical Association, dated the 13th September, 1935?

(b) Will Government please lay a copy of the letter on the table?

(c) What steps, if any, do Government propose to take on that letter?

Sir Girja Shankar Bajpai: (a) Yes.

(b) A copy has been placed in the Library.

(c) The matter primarily concerns Local Governments; the Government of India do not propose to take any action.

THIRD CLASS WAITING ROOM AT TUNDLA.

687. *Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state and enquire if it is a fact that the third class waiting room at Tundla, East Indian Railway, is very small? What is the length and breadth of that room?

(b) Is it also a fact that the ladies' waiting room is far away from the gentlemen's waiting room and that it is not safe also?

(c) Is there any arrangement for drinking water in these waiting rooms? If so, what? If not, why not?

(d) Is it a fact that there is no tin shed at the ticket window?

(e) Is it also a fact that the public latrine for third class passengers is very close to the first class ticket window and that the night-soil pots are kept underneath the bridge quite near this window?

(f) Will Government please state the distance of the latrine and the place where night-soil pots are kept from the ticket window?

(g) Will Government please state what step or steps they propose to take to remedy these inconveniences?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information on the points raised, but a copy of the Honourable Member's question is being sent to the Agent, East Indian Railway, for consideration. This is eminently a matter which might be dealt with through the Local Advisory Committee.

PAYMENT TO A COUNSEL IN A PRIVATE CASE FROM THE AGRA CANTONMENT BOARD'S FUND.

688. *Pandit Sri Krishna Dutta Paliwal: (a) Have Government received the representation of Mr. B. D. Gupta, a member of the Agra Cantonment Board, regarding the Board's sanction to pay about Rs. 600, to Mr. Nit Kishore Mehra, counsel in a private case, from its funds? If so, what steps, if any, have Government taken in that matter?

(b) Is it a fact that the trial Magistrate Mr. C. D. Duke, I.C.S., in his order, dated 2nd January, 1934, held that the above case was filed by one Abdul Habib Khan, in his personal capacity and not by the Cantonment Authority or on its behalf?

(c) Is it also a fact that the said Abdul Habib Khan solemnly declared in the affidavit filed in the High Court at Allahabad, that the case was his own and not that of the Cantonment Authority?

(d) If the answers to parts (b) and (c) be in the affirmative, will Government please state what steps they propose to take to prevent the payment of the said sum, or to realise the Board's money, if it is already paid?

Mr. G. R. F. Tottenham: (a) The reply to the first part is in the affirmative. As regards the second part, the General Officer Commanding-in-Chief, Eastern Command, who is the authority to sanction the cantonment budget, did not consider it necessary to interfere with the decision of the Cantonment Board, Agra, and Mr. B. D. Gupta was informed accordingly.

(b) and (c). Government have no information.

(d) Government are satisfied that the action of the Board was correct and do not propose to take any action in the matter.

Pandit Sri Krishna Dutta Paliwal: As regards (b) and (c), will Government please inquire into the matter?

Mr. G. R. F. Tottenham: No.

Seth Govind Das: Why not?

Mr. G. R. F. Tottenham: Because they consider it unnecessary to do so.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred question No. 46 asked by Dr. N. B. Khare, on the 4th February, 1936.

WITHDRAWAL OF THE POWERS OF THE AGENT EXERCISED BY THE HEADS OF DEPARTMENTS ON THE INTRODUCTION OF THE DIVISIONAL SYSTEM ON THE EAST INDIAN RAILWAY.

No, but in order to secure decentralisation, there has been delegation of authority in certain matters to Divisional Superintendents

(a) No

(b) Yes, with the exception of the Superintendent, Watch and Ward.

(c) and (d). I would invite the Honourable Member's attention to the replies given to questions Nos. 9 and 103 of the Honourable Mr. Jagadish Chandra Banerjee and the Honourable Rai Bahadur Lala Ram Saran Das, respectively, in the Council of State by the Honourable Mr. J. C. B. Drake on the 20th September, 1932, and 23rd September, 1932.

(e) No, because it will not be advantageous to do so.

Information promised in reply to unstarred questions Nos. 87, 92 and 93 asked by Mr. Muhammad Azhar Ali on the 4th February, 1936.

MONOGRAPH ON THE GENERAL CLASSIFICATION OF GOODS AND ASSOCIATED TOPICS WRITTEN BY MR. C. A. CRAWFORD AND PRINTED IN THE EAST INDIAN RAILWAY PRESS.

87. (a) (i) to (iii). Yes.

(iv) The approval of the Agent was not necessary. The printing was authorised by the Chief Commercial Manager.

(v) Yes.

(b) The memorandum was written for the Administration who regarded it as a useful contribution, the printing of which was necessary in the interests of the service

(c) Yes.

(d) There is nothing in these criticisms to which reasonable exception could be taken, particularly as they are contained in a confidential document intended for official use only.

(e) Yes, but the printing of the pamphlet at the East Indian Railway Press was authorised by the Chief Commercial Manager as it was considered to be of considerable value in connection with the formation of a research unit in the Commercial Department of the Railway.

(f) In view of the reply to part (e) this does not arise.

(g) Yes.

CHECK ON THE PRINTING WORK DONE IN THE EAST INDIAN RAILWAY PRESS.

92. (a) No. The question of what printing work should be done in the Press is for the administrative departments and not for the Accounts or the Audit Departments.

(b) Does not arise

(c) About Rs. 389 in all.

(d) and (e). The Honourable Member is referred to the replies given to parts (f).

(g) and (h) respectively of question No. 87.

(f) No. Government do not consider a more detailed check necessary

IRREGULARITIES IN CHARGING SALARIES OF SUBORDINATES ON THE EAST INDIAN RAILWAY.

93. (a) The post of a Claims Inspector in grade Rs. 160—10—220 was sanctioned for the Surveyor's work.

(b) Yes.

(c) No.

(d) The post of surveyor, grade Rs. 400—20—600, was attached to the Lost Property Office located at Howrah to carry on the surveyor's work both at the Lost Property Office, Howrah, and the Howrah Goods Shed. The Claims Inspector is posted at Howrah.

(e) A Claims Inspector in grade Rs. 160—10—220 as sanctioned for the work in question, is actually performing the duties. The latter part of the question is not understood.

(f) Yes.

Information promised in reply to unstarred question No. 105 asked by Sardar Mangal Singh on the 4th February, 1936.

GUARDS IN THE CALCUTTA DISTRICT OF THE EASTERN BENGAL RAILWAY.

(a) (i), (ii) and (iii). No.

(b) The sanctioned permanent strength is 171 and the actual strength is the same. Four temporary posts were sanctioned in January last and steps are being taken to fill these posts.

(c) Certain gazetted officers' posts have been held in abeyance. The latter part of the question does not arise

THE RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President (The Honourable Sir Abdur Rahim): Before the Railway Budget discussion begins, it is perhaps the desire of the House, as it has been the practice all along, that the speeches of Honourable Members should be limited to fifteen minutes.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, at the outset, I must congratulate the Honourable the Commerce Member. . . .

Some Honourable Members: Of course.

Sir Muhammad Yamin Khan: . . . for having placed before this House ("Hear, hear" from some Opposition Members) all the cards on the table.

Some Opposition Members: Hear, hear.

Sir Muhammad Yamin Khan: The Honourable the Commerce Member must be congratulated for placing all his cards on the table in spite of some Honourable Members saying, 'Hear, hear'. Sir, the speech that the Honourable the Commerce Member has delivered is the best that I have ever heard in presenting the Railway Budget ("Hear, hear" from Opposition Members), because he has placed all his cards on the table. He has in his speech disclosed the real condition of the railway finances.

An Honourable Member: Quite right.

Sir Muhammad Yamin Khan: I have been in this House for nearly 15 years, and I have never seen the financial position of the railways disclosed so admirably as has been done by the Honourable the Commerce Member. No doubt, it is a gloomy budget, it is a deficit budget, but the Honourable the Commerce Member has dealt with it in a very admirable manner, and he deserves all the praise for placing all the facts before this House which will enable them to form proper conclusions and arrive at a proper decision which a representative House like this alone can do. It has always been somewhat unfortunate for the country that in the past the budget speech did not disclose the real internal condition of the finances; those speeches always held out some optimistic outlook for the future, but in the present budget we find the Honourable the Commerce Member is echoing exactly popular sentiments, sentiments which we ourselves feel. He has placed before us facts in a manner which any Commerce Member recruited from the public would have done. He is the first Commerce Member who has come from the public, and he rightly echoes the sentiments and feelings of the public.

An Honourable Member: You will be the next Commerce Member.

Sir Muhammad Yamin Khan: Sir, we had in the past drawn the attention of the Government to the fact that the policy they were pursuing was going to ruin the financial condition of the railways in India one day or the other. This policy was of showing inflated figures on the

income side, and estimating the expenditure of the railways on those inflated figures which were supposed to come into the coffers of the railways, but we found that the income of the railways always fell far short of their expectations. Sir, since 1924-25, when the railway finances were separated from the general finances, the reserve fund had accumulated to the extent of 15 crores, and, since 1930-31, we find that not only these 15 crores have been consumed, bit by bit, but the Railway Department has been obliged to take about 38 crores from the depreciation fund in addition. Now, Sir, the depreciation fund which ought to have accumulated to something like 41 crores stands today at only nine crores, because 32 crores have been taken away, and, if we go on at this rate, if we accept the budget as it is presented to us today, then, I am afraid, the railways will soon become bankrupt.

Sir, in presenting the budget last year, the Commerce Member expressed a ray of hope, and he expected that there would be an improvement in the financial position of the railways, but the ten months of the current working year have shown, instead of bringing in better results, a greater diminution on the income side. The reasons for this loss are fully explained by the Honourable the Commerce Member, and I feel that, in dealing with the budgetary position, he has not only shown a full insight into the working of the railways, but also of the Commerce Department. He has placed before us all the facts and figures, and it is for this House to decide what steps should be taken to meet the position presented by the Honourable the Commerce Member.

An Honourable Member: Will you join us?

Sir Muhammad Yamin Khan: Sir, this House is fully aware of the handicaps under which an Honourable Member of Government has to work, whatever his feelings, whatever his position may be (Laughter from the Opposition Benches). Some of my friends have been long enough in the House, and they know what those handicaps are. (Laughter.) The decision does not rest with one Member alone. ("Hear, hear" from Opposition Benches.) That decision has to be agreed to by the other Members.

Some Honourable Members: Is that so?

Sir Muhammad Yamin Khan: Now, Sir, what do we find? Instead of the 93½ crores income which was expected last year, it has not come up to even 90 crores, and the Honourable Member has not said that there is any prospect of any improvement in the traffic. In spite of that, he has been obliged to put down on the income side 91½ crores, and I do not know why he has put down an inflated figure of 1½ crores more knowing full well that the income side had been continuously showing a decrease for the last ten months. The reason why he has taken it for granted that the income will be more during the next year is not explained, and the only reason assigned for the expected increase is the slight increase in the freights which might bring about a crore of rupees. But that is only a supposition or assumption. The safest budget is always that which is based on the actuals of last year. And, Sir, in the small sphere in which I have worked, . . .

An Honourable Member: Where?

Sir Muhammad Yamin Khan: I have never allowed inflated figures to be put up on the income side. The only justification for the Railway Department to show the inflated figure of 98½ crores as income last year was on account of their desire to restore the salary cuts, because 90 lakhs of rupees were to be restored, and for that purpose they wanted some justification last year and they put down a high figure. Now, we find, their expectations of increased income during the last year have not been realised. The safe policy would be, under the circumstances, to put down, not Rs. 91½ crores, on the revenue side, but only Rs. 90 crores which are the actuals of this year. Even if we put down Rs. 90 crores as the income, we would still have to face a deficit of Rs. 2 crores on the strategic lines, and if this amount of Rs. 2 crores is taken from the depreciation fund as we did last year, even then the aspect is very gloomy, because, instead of having Rs. 47 crores, which we ought to have had in our depreciation fund, we would be left only with about Rs. 11½ crores, which is not a very hopeful thing. If we go on like this for a few years more, our position would be like what we remember about the Egyptians in the old days. The king had dreamt that there were seven fat cows and there were seven lean cows, and that the seven lean cows had eaten away the seven fat cows, and he asked what it meant. Joseph came and said: "There will be seven years of plenty and seven years of scarcity. The scarcity will eat up whatever you will have saved in the good years". If we had stopped at losing the reserve fund, I would not have minded, but here we have not only lost our reserve fund, but we are losing all the depreciation fund. The depreciation fund is meant to replace articles like the railway engines, and so on. But here we will have no money to replace all these if our depreciation fund is depleted. The Honourable Member has said that the working expenses are going to be Rs. 51½ crores, that is, half a crore more than last year. At a time when we should make all the curtailments that are possible in our expenditure, I do not know why there should be this half a crore more expenditure. What was the urgency, what was the necessity for this increase in expenditure? The Railway Department should take stock of its position and take this House into its confidence and see where a cut should be made and how the position can be saved.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more to finish.

Sir Muhammad Yamin Khan: I would suggest to the Honourable the Railway Member that the best manner in which he can take this House into his confidence is to go through, with the House, to see where curtailment can be made and how the position can be retrieved. It is never safe to have inflated figures on the revenue side in order to incur heavier expenditure, and heavier expenditure should not be allowed by this House. I had many more things to say, but as the time is up, I shall resume my seat.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, when the first non-official Railway Member from that side spoke, I paid a great deal more attention to his speech than I otherwise generally pay to the stereotyped speeches that we are accustomed to from that side of the House.

But I was disappointed. It seems there is something rotten in the Kingdom of Denmark. There is something wrong in the Government of India, and what the Honourable the Finance Member, Sir James Grigg, knows, the Honourable the Member for Railways, Sir Muhammad Zafrullah, does not know. It seems his advisers, the Chief Commissioner of Railways and the Financial Commissioner for Railways, have not placed all the cards before the Honourable the Railway Member so that he could visualise the proper position of the railway finances. If that had been done, I am sure he would not have made his speech in the rather optimistic tone in which he did on the floor of this House. The Honourable the Finance Member is here, I am glad he is present here. He and I were both disappointed that we could not carry on the debate on the report of the Public Accounts Committee. He, as the Chairman of the Public Accounts Committee, and those of us on the opposition side who are on that Committee, are agreed that the situation of the railway finances is alarming and disquieting. We did not know in August last the real condition of affairs. Since then it has become worse, and yet my Honourable friend, Sir Muhammad Zafrullah Khan, makes the statement that things are not disquieting and that the situation will become better. And the Chief Commissioner in the other House made the statement that the criticism of those who criticised him and his department on the floor of this House was often more clamant than just. He has said, at least it is so reported in the press today, that in five years the railway finances will improve, and he will again come with proposals of overcapitalisation and extravagance, as did the great bureaucrat whom my old friend, Mr. Neogy, characterised as His Haughty Highness Sir Clement Hindley,—that the time for overcapitalisation and squandering away and giving more salaries, overseas pay, Lee loots and Lee concessions, would come. Sir, that will never come.

I wish that the Railway Member had read the report of the Public Accounts Committee and the evidence that was given there and the discussions that we had. My Honourable friend, who is one of us, now speaking on that side, may occasionally throw a sop that we are mere politicians, and that our criticism is not offered from a purely financial or business point of view. Whatever may be our difference with the Finance Member—and great differences do lie with him—still, as the Chairman of the Public Accounts Committee, he will agree that whatever criticisms were offered by us in that Committee were offered in no carping spirit, but were offered with a sense of public duty to help the Government in their disastrous financial situation.

An Honourable Member: Rake's progress !

Mr. B. Das: The Public Accounts Committee unanimously noted the very alarming and disquieting condition of the railway finances. Sir Ernest Burdon, the Auditor-General, drew particular attention to the alarming state of the railway finances and we discussed it. I take this opportunity to congratulate my Honourable friend, Mr. P. R. Rau, the Financial Commissioner, upon the excellent review on the appropriation accounts of the Railways of India which he produced and submitted before the Public Accounts Committee. This is as it should be. This is the best review that has come from him so far and which a chairman or managing director should submit before his board of directors. There

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he has analysed the financial conditions of the railways from 1913-14 to 1922-23, and from 1923-24 to 1933-34. There you will find every item I referred to on pages 50 to 53. I hope the Honourable the Railway Member had a glance at it. What do we find? In 1913-14, the railway staff was six lakhs 33 thousand and the staff salary was 14 crores, which was 43 per cent. of the working expenses. In 1922-23 the staff became seven lakhs 23 thousand and the salary of staff became 29 crores. Then, it became 40·8 per cent. ratio to the working expenses. Then arose the clamour of the Lee Concessions on the one side and the cry of Indianisation on the other and then we demanded from this side that there should be more State management and State control of railways. The then Railway Member and the Chief Commissioner, Sir Charles Innes and Sir Clement Hindley, went on squandering money on extravagant capital projects, renewals and remodellings, giving more salaries, creating new posts. That has brought down the railways to this condition. Now, five little antidotes have been prescribed and they are shortly going to be explored by the Railway Member and the Chief Commissioner of Railways. In the year 1933-34, the railway staff was six lakhs 70 thousand, which is rather less than that in 1922-23. The staff is paid Rs. 34·61 crores in salary which is 53·8 per cent. of the working expenses. There are many businessmen present on the floor of this House. There are my European comrades sitting there. They are big businessmen. I hope that when my friend, Mr. F. E. James, speaks later on, he will tell us whether any business concern will thrive which spends 54 per cent. of its working expenses on staff. This muddling cannot be practised anywhere in the world, not in Germany, not in France where there are systems of State control.

Dr. F. X. DeSouza (Nominated Non-Official): On a point of information. Is this expenditure on the personnel?

Mr. B. Das: Yes, it is entirely on personnel. I have only five minutes more. I would ask Dr. DeSouza to analyse these things. Probably my friend does not get the advantage that my Honourable friend, Sir Henry Gidney, gets for his community. Probably part of the increased expenditure on staff is due to meeting the claims of Sir Henry Gidney's community. However, I am not concerned now with the claims of different sections but the extravagant expenditure in the Railways which was analysed in the Public Accounts Committee. The Chairman, Sir James Grigg, was very much alive to the importance of this subject. He queried to Sir Maurice Braysbay, the then Acting Chief Commissioner:

"The safeguards for existing staff in the new Government of India Bill are pretty complete and if we have got to a stage when there is no big improvement in traffic, we expect then the only method of economy is reducing the numbers. On that assumption, is it possible in your opinion to get rid of a considerable number of the staff?"

Anyway, we discussed this subject. We privately talked. We talked in the Public Accounts Committee. I am glad that the Finance Member is present here. There was a talk that some expert diagnosis should be made into the railway finances. Sir George Schuster wanted to bring the Canadian Pacific Railway expert or manager, Sir Henry Thornton. Sir, Ottawa had done enough harm to this country, but it brought one-

relief when Sir George Schuster visited Canada. He found that the English gentleman, who went to Canada to improve the Canadian Pacific Railway, had built more beautiful railway stations, swimming baths at stations, and had built them in such extravagant style that the Canadian Pacific Railway was running at a loss and so Sir George Schuster gave him up. He finished that gentleman, and so he was not brought over. But, in the meantime, a Mr. Pope was manufactured. He devised the well-known scheme of job analysis and the Chief Commissioner and the Railway Board are working on this job analysis, and I know they will work on it till Doomsday and nothing will happen. This we visualised in the Public Accounts Committee. We were assured, I hope I may be pardoned by the Honourable Sir James Grigg if I am divulging any secret, that he is contemplating the bringing in of an expert. He mentioned names which we appreciated. I gave him privately my whole-hearted support. We want men of the type of Sir Josiah Stamp, or Sir Guy Granet, to investigate into the condition of the railways here, instead of tinkering with money spent on the improvement of the worker's condition or the road and rail competition which no Government can stop by legislation or the shipping and rail competition. The Railway Member must think of his dual self—the Commerce Member. Is not that dual self guilty of fixing the rates and fares in such a way that the shipping companies will have more sea traffic. My European friends encouraged this Government to put on an additional petrol duty for more roads and better roads, so that they can sell more petrol and sell more motor cars in India. The result is that Indian industries have suffered, and that finds reflection in the railway earnings. The Indian coal industry has suffered because coal is carried by steamer at cheap freight, apparently for export, but, instead, goes to Madras and is sold at competitive rates and the Bengal Nagpur Railway does not even find traffic in coal and yet the Bengal Nagpur Railway and the North Western Railway happen to be the worst sinners in the matter of mismanagement.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. B. Das: I will finish soon. Sir, I think the situation requires drastic action. It requires independent diagnosis. The Railway Member is still new to the Department. The cards are not all before him. Will he study the problem and consult his colleagues, especially the Finance Member, and get a super-expert who will say: "Stop the Lee Concessions, stop the promotions, do away with 50 per cent. of the highly paid staff"? Then alone can the railways survive.

No commercial concern can stand which pays 54 per cent. of its earnings to its staff. Sir, it is a loot. It is bankruptcy. Such State-management only leads up to a serious disaster to this nation, because, under the guise of State-management, Europeanised management has been fostered. European industries have been encouraged to find markets in India when in Railway appliances or in other fields, and the Europeanised services, which have been given a further lead in the new Government of India Act, have been going on being perpetuated by means of which India is continuing to be exploited; and my Honourable friend, the Railway Member, has been advised by his officers to tinker with the road-motor competition. | why was he not advised to think of the bullock-

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cart competition? Why was he not advised to think of that? I believe, five years hence, when he will be no more the Railway Member, all the powers he has will have gone to the so-called Statutory Railway Authority, of which my Honourable friend, Sir Yamin Khan, my Honourable friend, Sir Muhammad Yakub and my Honourable friend, Dr. Ziauddin Ahmad, are the authors and by which action they have done a great harm to this country, and then the Railway Minister, without any work to do, will talk to us of bullock-cart competition, and then the successor of my old friend, Sir Guthrie Russell, will devise means as to how bullock-carts should be abolished from this land of India!

Sir Leslie Hudson (Bombay, European). Mr. President, as I shall be the only person to speak for my Group, I would just ask for a little indulgence in the matter of time.

I should like at the outset to join with other Honourable Members in offering congratulations to the Honourable the Commerce Member on the lucid statement which he made in introducing the railway budget. I think we are all agreed that the speech of the Honourable Member was one of the clearest statements of its kind ever delivered in this House, and that we were particularly impressed by the frank manner in which the Honourable Member generally examined the problems facing Indian railways.

It is true, of course, that one of the principal difficulties confronting the railways of this country is the reduction which has taken place in the volume of traffic. But I venture to suggest that this is a difficulty which is not peculiar to railways. Since the onset of the present depression, every commercial undertaking has had to contend with the same kind of difficulty, and the only difference is that while commercial undertakings have had to adapt themselves to the changed conditions the policy of the railways, seeing that they are for the most part controlled, has been influenced by considerations other than those of a strictly commercial character. We all know that while the leader of a business concern is able to make those quick decisions and prompt adaptations of policy which are all-important if the pressure of adverse circumstances is to be eased, the Agents of the Railways possess no similar degree of freedom. While this is perhaps inevitable, one cannot help noticing the increasing tendency on the part of the Railway Board to pay more attention to details of administration instead of to the broad general conception of policy. No one will dispute the Honourable Member's contention that restoration of trade is necessary to a recovery in the railway revenue. Equally, we are all prepared to admit that that improvement of trade, sufficient to place the railways on a profit-earning basis, has not yet been attained. But the very existence of these circumstances makes it necessary for us to consider what changes ought to be made in the administration in the light of the experience of today and in view of the fact that that experience may not indicate any substantial change for the next year or two. When the Railway Board was constituted and reorganised, the intention was that it should confine itself to important matters of general policy. Undoubtedly that was a perfectly correct view, but in practice we have found that the Railway Board has tended more and more to exercise control over matters of detail which should properly be left to the various railway administrations. There are, of course, special circumstances affecting railways in this country, such as, for example, the difficult question of recruitment which do

not ordinarily enter into the policy of commercial undertakings. But, nevertheless, I cannot help feeling that, in the course of years, the Railway Board, as a piece of administrative machinery, has been suffering from an increasing amount of rigidity, which has resulted in an over-centralisation of detail and which is, if it is not already, in grave danger of becoming quite unrelated to the conditions that exist in a vast sub-continent like India.

We must make up our minds on this fundamental question. Do we want the railways to be run on a commercial basis, or are they to become a great State Department providing an essential service to the community irrespective of whether it makes a profit or loss? Until we have dealt with that question, it seems to me that we shall never be able to shape the future policy of the railways. If the answer is that the railways should be run on a commercial basis, then, to me at any rate, it seems clear that much of the control of detail which is at present conducted from Simla and Delhi must be surrendered to the various Railway Administrations.

I come now to the actual financial position revealed by the Honourable Member. He told us that the actual deficit on the year's working was $5\frac{1}{2}$ crores, which is $\frac{3}{4}$ of a crore higher than was expected. As regards revenue, he anticipated that this will be $3\frac{1}{2}$ crores below the budget estimate of last year, and that the railways have only been able to meet this deficit by continuous borrowings from the depreciation fund. Within reason, the principle of meeting our liabilities out of accumulated reserves is sound, but I do not think that anyone can look upon the financial condition of the depreciation fund of the railways today without considerable anxiety. We are told that, in the past few years, 32 crores have been borrowed from this fund and the actual balance today is just under nine crores, whereas, if there had been no borrowings, it would have been over 41 crores. Depreciation is calculated at one-sixtieth of the capital at charge, and, at the present moment, this involves a sum in the neighbourhood of 13.72 crores, and, with the balance of less than nine crores in the depreciation fund, it is easy to see that if the experience of the railways, during the past two or three years, is much further prolonged, the railways are likely to become an unexpected burden upon the ordinary resources of the country. In this connection, I should also like to emphasise how urgently necessary it seems to be that the whole question of over-capitalisation of railways should be looked into. I am going to suggest that it may well be that the time has arrived when the existing convention relating to the separation of railway from general finance, adopted by this House some years ago, should be completely revised. (Hear, hear.) It seems to me that, under existing circumstances, and in view of the fact that railway earnings are not likely to reach the figures of ten years ago, all hopes of expecting the railways to make any substantial contributions to the Central revenues might well be abandoned. (Hear, hear.) If we look at the matter with the eyes of a realist, I think we shall have to agree that the expectation that the railways will be able to make any substantial contributions to the Central revenues is not likely to be realised for a great many years, or, at any rate, within any measurable distance of time. If that principle is accepted, steps should be taken to place the relationship between railway and Government finances on a basis more closely related to the facts as they are today. There is no sense in pursuing a policy which has ceased to have any relation to fact. We, therefore, request the Government seriously to consider the desirability of framing a new Convention based upon modern commercial practice. This would mean that any surplus receipts over operating expenses should be

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debited (1) to the payment of interest charges on capital at charge, and (2) to depreciation. In respect of the latter, we suggest that this might be divided into two funds: (a) for the amortisation of capital and (b) renewals and replacement; and (3) for the accumulation of a Reserve Fund on the ordinary commercial principle of providing in normal times for periods of depression. Then we suggest that any surplus, over and above the sums allocated for these purposes, should not be handed over to the Central revenues, but should, in the first instance, be used for increasing the amenities of railway travel, reducing freights and for other similar objects. (Hear, hear.)

Before I leave this aspect of the question, may I stress the point on which we, on these Benches, lay great emphasis, namely, the urgent necessity of an enquiry into the question of over-capitalisation, interest charges, depreciation and other cognate matters. We feel that this enquiry should be undertaken by some independent authority on railway finance at once, before the present position deteriorates further. In this connection, I would invite the attention of the Government to the statement by the Auditor-General in his letter forwarding railway appropriations account for the year 1930-31, in which he referred to the tendency towards over-capitalisation and the necessity of immediate examination of the problem "so that Government should be prepared with a well-considered scheme in connection with the setting up of a Railway Authority under the new Constitution". That was over three years ago, and I should like to read an extract from a more recent letter addressed to the Government of India by the Auditor-General. In his letter transmitting the Report of the Director of Railway Audit on the appropriations account for 1933-34, the Auditor-General stated:

"I drew attention to certain paragraphs of the Audit Report (for 1930-31) which discussed disquieting tendencies towards overcapitalisation, and I emphasised the necessity of immediate examination of the problem . . . The tendencies towards overcapitalisation that were brought to notice three years ago are still in operation, and during those three years net railway earnings have failed to meet interest charges by Rs 27.39 crores. Evidences of improvement are unhappily still uncertain. In the meantime the preparation of the scheme for Railways under the new Constitution must be in an advanced stage, while according to the admission of the Financial Commissioner, Railways, the complicated financial problems connected with this scheme are still far from settlement. This is a position which seems to me to be exceedingly unsatisfactory."

This is weighty authority which ought not to be ignored, and I express the hope that Government may find it possible to make some announcement on this point before the end of the present Session.

I now come to the reasons advanced by the Honourable Member for the unsatisfactory position of the railways during the past few years. He mentioned first world depression and the general collapse of commodity prices, and I should just like to add that, in our judgment, the effect of that factor would very likely have been considerably aggravated if India had not enjoyed the monetary stability, which it has been her good fortune to share, of those countries within the sterling area, and if she had not subscribed to the principle of freer trade within the Empire as laid down at Ottawa. So far as we are concerned, we have no doubt that the principles of freer trade and exchange stability between the countries of the Empire have done much to arrest the decline which might otherwise have taken place. The Honourable Member then referred to the striving towards self-sufficiency by almost every country in the world, including India and the

development of internal trade and production. To the extent to which India's tariff policy may be involved, it seems to me that Government can have no legitimate complaint because they themselves are responsible for that policy. I feel, however, that in view of what the Honourable Member has said, it is reasonable to express the hope that in the future in deciding the tariff policy, more attention might be paid to the effect of tariffs on the railways, both as regards the volume of traffic and the financial position. It would be as well if Honourable Members in other parts of the House who never cease agitating for economic nationalism take to heart the words of the Honourable the Commerce Member and realise that one of the effects of that policy would be a further deterioration of the financial position of the railways. The arguments I have just used in respect of the effects of tariffs upon railway earnings also apply to irrigation schemes, since Government of India has had to sanction most of these.

I was interested to note that, in referring to the items which have had the effect of adding to the working expenses of the railways, the Honourable Member made some very pointed observations in respect of labour legislation. The Honourable Member said that he thought a stage had been reached where a halt might be called to further labour legislation. We have supposed that this candid admonition is addressed primarily to the Honourable the Member for Industries and Labour. We, in common with Sir Hormasji Mody and others, share the hope expressed by the Honourable the Commerce Member, and with this authoritative support from one of his colleagues, we may be permitted to enjoy the luxury of the thought that for the present there will be some respite from the particular activities of the Honourable the Member for Industries and Labour, and his Department. In this connection, I should like to add that we have definite information that the passing of the Payment of Wages Bill, for example, will considerably increase the administration expenses of one railway, and since that is true of one railway, it must necessarily apply in like proportion to all other railways.

The Honourable Member also referred to the improvement in the service conditions of the staff. It seems permissible to observe that in 1918-14 the number of persons employed on the railways was 633,305, and the cost Rs. 1,401 lakhs. In 1933-34, the number employed was 667,286, and the cost Rs. 3,461 lakhs. In 1918-14, the average wage drawn was Rs. 221 per head, while, in 1933-34, the figure was Rs. 515. While it is true that these increases are mainly due to better pay among the lower grades of railway employees, I would draw the attention of the House to the fact that it seems very significant that the average wage today is more than 100 per cent. greater than it was before the war. And while one has no desire to see the wages reduced, these facts would, at any rate, appear to provide sufficient grounds to justify some investigation into the bearing which operating expenses have upon the profit or loss of the Railways.

The European Group, on behalf of whom I speak, welcomes the emphasis which the Commerce Member placed upon the importance of a properly co-ordinated road and rail policy. The House will remember that it is two years since the question of co-ordinating the systems of communications in this country was first raised in these Benches, and we shall have occasion to return to this later on when the demands come on for consideration. In the meantime, we should like to know what has happened about the legislation we were promised for the purpose of standardising road rules. It would seem to be essential that some system of stricter

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control of carriage by road should be instituted, particularly in respect of the roads which run parallel with the railways. In Madras, Bombay and the United Provinces, 60 per cent. of the roads run parallel with the railways, while, in the Central Provinces, the percentage is 73 per cent, and in the North-West Frontier Province, the percentage is as high as 94 per cent. Moreover, it may not generally be known that the estimated loss to railways owing to bus competition is calculated at about Rs. 2 crores.

The Honourable Member has promised us legislation to deal with the evil of ticketless travel. Apart from what the Honourable Member has said, this question seems to us to raise two points. (1) the corruption among railway servants, and (2) the hampering of the user of railways. With regard to the first, it is perhaps true to say that corruption cannot exist except in countries where morality in this respect is low, and we would suggest that the commercial and mercantile community be urged to co-operate in the efforts of Government by bringing to the notice of the authorities cases where railway servants, for whatever reasons, are failing to exercise sufficient vigilance. In respect of the second point, we understand that third class passengers often have difficulty in purchasing tickets owing to the fact that booking offices do not open sufficiently early before trains are due, in which case little blame can attach to the passenger if the only possibility he has of catching the train is by giving up all hopes of getting a ticket.

There is one item on which we would like to have some information from the Honourable Member in charge, and, that is, what is the policy of Government as regards wagon supply? The history of wagon construction in India, since 1918, is a sorry one. The industry was built up with the direct encouragement of the Government, and it is now in a most unfortunate position. Will Government be prepared to spread more evenly their wagon orders in India, so that a minimum annual quantity can at least be assured to the industry? This will serve to keep the industry alive and to maintain the necessary skeleton staffs in the construction shops, so that they may be in a position to deal with large orders when necessary. Rolling stock is the "life blood" of the railways and requires to be kept in the highest state of efficiency.

Time does not permit me to add more now, and we may find occasion, during the course of the budget discussions, to make a number of detailed suggestions on the points to which I have briefly referred today.

Before I sit down, I should like to make it clear that we are fully aware of the difficulties with which the Railway Board has to contend. It has, for example, been brought home to us, on a number of occasions, that the one-hundred-and-one questions asked by the Honourable Members in this House have been the cause of placing a vast amount of unnecessary work on the shoulders of district officers, thus making it impossible for them to give the proper amount of attention to their ordinary duties. We fully appreciate the necessity for vigilance, but it has often seemed to us that the great majority of the questions asked by Members in this House are really matters which ought to be put before the Provincial Advisory Committees. During the last few years, the railway staff has had nothing but criticism, and criticism is perhaps not the best encouragement of efficiency. In times of depression, criticism is apt to become loud and insistent. We are, however, glad to notice that the Railway Companies

are moving with the times, and that, instead of waiting for business to come to them as they did when they considered themselves a monopoly, they are now, through their Commercial Departments, endeavouring to attract that accretion of business which is so necessary for a sound financial position and without which those better results, to which we all look forward, cannot be achieved. But while many of us may feel that much of the criticism is justified and some of it is unjustified, I hope the House will put forward such criticism as it has to offer in spirit not so much of censure as with a desire to suggest and co-operate in the important task of freeing the railways from the burdens and difficulties with which they are at present surrounded.

Sardar Mangal Singh (East Punjab: Sikh). Sir, I am sorry I cannot offer my bouquet of flowers and shower congratulations on the Honourable the Railway Member. On the other hand, I express my heart-felt sympathy with him that, at the time of his maiden Budget Speech, he had to tell us a mournful tale and he had to begin with a derailed railway finance. It looks rather tragic, Sir, that when Sir Joseph Blore was presenting his budget last year, he was trying to convince the House that the times would now be better and the next budget would be a surplus budget. But, at the very time when he was speaking on the floor of this House, the downward movement had already begun, which persisted till the end of the year. Sir, on hearing the speech of the Honourable the Railway Member, it struck me that it is more like an auditor's report of a limited company rather than a statement of a national enterprise like the Indian railways. It lacks human touch and it lacks national sympathy and national outlook. It is a statement dry and cold.

The Railway Member has not tried to explain how, during the last year, the railways have worked with a view to developing and helping the national industries. The railways are the biggest national enterprise for helping and promoting the national industries and agriculture. In this country the railways are worked for a different purpose. I am sorry to say that they are worked with the set purpose of exploiting and draining away the wealth of this country. The freights of goods are so adjusted that they discourage the exports of raw materials and encourage the imports of manufactured goods. If you take the case of cotton and manufactured cotton piece-goods, you will find that if I send cotton from Amritsar to Bombay and if a merchant from Bombay wants to send piece-goods to Amritsar, he will have to pay less than I have to pay, while, as a matter of fact, the freight on cotton should be very much lower than on piece-goods. But they have classed cotton and piece-goods as in the fourth class, at the owner's risk; but if it is the railway's risk, they class both in the sixth class. And further the Railway Board authorises the Agent to give special rates to manufactured goods. And this power has been exercised in favour of manufactured and they generally reduce it still further, sometimes by seventy-five per cent.

An Honourable Member: For Bombay goods?

Sardar Mangal Singh: No, Lancashire goods. It is deliberately done to import Lancashire manufactured piece-goods and to discourage export of cotton from the Punjab.

The Honourable Sir James Grigg (Finance Member): Does the Honourable Member mean to say there is a discrimination between Bombay piece-goods and Lancashire piece-goods?

Sardar Mangal Singh: No.

The Honourable Sir James Grigg: Then, what is the point of the Honourable Member's remarks?

Sardar Mangal Singh: Then, coming to the balance sheet, we find that we are losing from four to five crores annually. We have eaten up our reserve fund and, as my Honourable colleague from the United Provinces has exposed it, we are also eating up the depreciation fund. If we have two more successive deficit budgets the depreciation fund will be no more. Then, Sir, the Honourable the Railway Member would come before this House and ask the House to vote for a subvention from the Central revenues. The condition is very serious and how have the railways tried to solve it? They have put forward three proposals. In order to make up the deficit next year, they propose to raise the rates and fares for passengers as well as goods; secondly, they intend to put some restriction on rail-road competition; and thirdly, they want to proceed against the ticketless passengers. These are the three proposals put forward by Government. Now, Sir, as regards the first i.e., the raising of rates and fares, this is very unpopular and I am prepared to bet that if you raise the freights and fares this will not bring any money. It will defeat its own object as an Honourable friend puts it. You are already having a serious competition with the lorries, and if you increase your fares still further, I am sure your traffic will be diverted to the motors and instead of gaining you will certainly lose. If you want to have more revenues do not increase the rates and fares but give more facilities and more amenities to the railway passengers. For instance, provide electric fans on the North Western Railway and you will attract more passengers.

Sir Muhammad Yamin Khan: Why on the North-Western Railway only?

Sardar Mangal Singh: Because that part is hot. If you give more facilities, you will attract more passengers. In this matter, we are shop-keepers, and, if we want to attract more customers, we must be courteous to them. Give them all sorts of facilities: do not raise your fares when the lorrywallas are decreasing their fares.

Then, I come to the rail-road competition. This competition will not be stopped. Do whatever you like, the lorrywallas are going to beat you. In this matter, I may submit that, while you are anxious to stop rail-road competition, why are you allowing competition among your own railways? I want to invite the attention of the Honourable Member to the fact that you must stop ruinous competition amongst your own railways. The company railways and the Government railways are competing amongst themselves. Then again the Government railways are competing amongst themselves. I will give an example. Supposing you want to send certain coal from Jharia to Baroda, the railways now generally book from Jharia to Agra and then from Agra to Baroda. It is a distance of more than 1,200 miles, while they charge freight on the shortest route

from Jharia to Allahabad and then from Ujjain to Baroda. You charge freights on the shortest route while you carry them on a longer distance. And I will tell you how Government lose. The Government railway, the East Indian Railway, are entitled to a share of 600 miles. Then comes the Bombay, Baroda and Central India Railway. They take about half of it; while, if the coal goes through Allahabad and Ujjain, the Government railway would be entitled to about 80 per cent. of the freight and then very little will be left for the Company-managed railways. While, on the one hand, the Company-managed railways, by showing more earnings, claim more interest from you, on the other, they decrease the earnings of the State-managed railways. Sir, this inter-railway competition is harming us; it is very injurious to the railways. I hope the Honourable the Railway Member will take note of this fact and will stop inter-railway competition in future.

Then, there is the question of the ticketless traveller (Government intend to amend the Railways Act in order to proceed against the ticketless travellers. The Honourable the Railway Member has not made it clear as to what he means by ticketless travellers. He has not told us how many of this number are "military men". These military people are generally illiterate, they do not get their tickets from the station, they have their passes with them. On the way they are detected, the passes are taken away from them, and the railway recovers the charges from the military authorities. I think this number is included amongst the ticketless travellers, though, as a matter of fact, you are recovering their fares. The ticketless travellers, Sir, are mostly beggars.

An Honourable Member: Who, the military?

Sardar Mangal Singh: I am referring to the other ticketless travellers. I do not include the Honourable Members of the Railway Board in this category who also travel without tickets. (Laughter.) They are mostly beggars, and if you proceed against them, you will require more police and more magistrates, and I am not clear whether the railway will pay the jail expenses or the Government will pay. For recovering a sum of say, eight annas from a ticketless traveller, you will have to incur an expenditure from Rs. 2 to Rs. 3. I do not understand how the railway is going to make up the deficit thereby. I submit, Sir, that before Government proceed with the amendment of the Railways Act, they would do well to refer the question to the Local Governments and calculate the expenses which they will incur and the recoveries they are likely to make from these people.

Lastly, Sir, I come to the very interesting subject of *dastoori*. In my part of the country, I can say with the fullest confidence—the Railway Member as well as other Members may not officially know it, but they know it—that this corruption is very rampant. At every station, a definite sum is fixed as income, and anybody, who wants to go to that station, has to pay accordingly, to his superior officer in order to get a transfer. (Cries of "Shame".) If the Honourable the Railway Member wishes to have more facts, I am prepared to give them to him, and if he is pleased to institute an enquiry, I can assure him that there will be a good case and he will find that this corruption is rampant. I have calculated the figures for the Delhi station, and if you want I can read them.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Sardar Mangal Singh: If you will permit me, I will proceed with this question of *dastoori*.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot give him more time; other Honourable Members are waiting to speak.

Sardar Mangal Singh: I will give these figures to the Honourable the Railway Member privately (*Cries of "No, no".*) At the Delhi railway station alone,

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must finish his speech within his time.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, may I first congratulate my Honourable friend, the Railway Member, for the lucid manner in which he presented his budget. I know that humour and imagination have no place in budget figures which should be a clear exposition of hard facts. Now, I come to my own observations. There is a chronic disease in the Railway Board, and, unfortunately, my criticisms have also become chronic. Year after year, the Railway Board are accustomed to put their income at a high figure, they over-estimate their income and under-estimate their deficits. As proof of this, I would just quote from the speeches of the Honourable the Chief Commissioner for Railways. This year, in the Upper House, he said:

"I told the House that we thought it (*i.e., income*) might reasonably be placed at Rs. 93.50 crores, but I regret that our hopes have not materialised, and so far as can be foreseen, we are not likely to exceed Rs. 90 crores."

Then, he goes on to say:

".....instead of the comparatively small deficit of less than two crores, which we anticipated, we now expect a gap of 4.54 crores"

In spite of this, he continues further on:

"We are placing our estimate of gross earnings for the coming year 1936-37 at Rs. 91.25 crores."

This, in spite of the fact, that the earnings were not expected to exceed Rs. 90 crores. Just the same thing was also said in his previous speech:

"Our actual gross earnings in 1932-33 were Rs. 85.62 crores against Rs. 86.50 crores forecasted in our revised budget estimates for the year. The decrease in our forecast was entirely due to taking too optimistic a view of our traffic receipts"

Then he says:

"There are reasonable grounds for predicting a further progressive rise in railway earnings during 1934-35"

Again, in another year, 1935, just the same thing was repeated, and he said:

"Despite the increased rates and fares, our gross revenue has fallen short of our anticipation by Rs. 2.45 crores."

Therefore, from the speeches delivered by the Honourable the Chief Commissioner in successive years, it is evident that the disease has become chronic, the Railway Board is accustomed to put their income at high figures and their deficits at very low figures, and I am afraid the same thing has happened this year. There was absolutely no reason for them to put their income at a figure higher than what they actually realised during 1935-36, but they probably did so in the hope that when they increased the rates and fares the income would also increase. But this is not a fact, the law of diminishing returns will apply as is evident from the speeches of the Honourable the Chief Commissioner which I have just quoted.

Sir, the Honourable the Railway Member in this House and the Chief Commissioner for Railways in the other House have given us to understand that, had we been a Company, they would have given us a dividend of 3.40 per cent. this year and 3.64 per cent. last year. This dividend would have been given to the shareholders or to the persons who lent 800 crores, but, in spite of this, our taxpayers have to pay Rs. 8.05 crores this year and Rs. 5.06 crores last year for the deficit in railway earnings. I should like to reconcile these two statements. On the one hand, they say that they would have been in a position to pay so much dividend—a dividend which is higher than the present Bank rate—and yet they say, on the other hand, that the taxpayers ought to be burdened by the additional amounts which I have quoted. If we consider these two things, we are led to the conclusion that there is something wrong somewhere: in spite of so much dividend, there is a definite loss. We need some change in the policy of higher finance. Before I proceed to the causes of this, I make it quite clear that as far as the expenditure on Government railways is concerned, we are already at a very low figure, in fact we are at a very dangerously low figure, and I think the process of retrenchment that has gone on ought to be stopped, or the life of the travelling public will be unsafe. I think the salaries which we are now offering are so low that they lead to temptation referred to by my Honourable friend, Sardar Mangal Singh. I shall just give you figures from the Administration Report of the Railway Board itself. The operating ratio of Indian railways is only 55 per cent., while that of the four amalgamated British railways is 84, of the Canadian Pacific Railways is 88, of the Canadian National Railways is 92, and of the German Railways is 104. So our figure of 55 is very low, and it is due to the policy of retrenchment and the lowering of the salaries which this Government has pursued. Therefore, I say, that the remedy for all these ills cannot be sought any more in retrenchment policies. We must find out other avenues and I am going to explain them just now.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Retrenchment in the higher gazetted staff or retrenchment generally?

Dr. Ziauddin Ahmad: I would draw attention to four important points by which the budgetary position of the railways may be improved. And here I would emphasise that we can get real economy, not by means of

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any retrenchment, but by a change in the policy of the administration. This change of policy should be in four directions.

First, there is the depreciation fund. We have been annually putting from 12 to 13 crores into the depreciation fund. In the administration report in which these figures are given, it says the working ratio is 55 without depreciation fund and 70 with the depreciation fund; there is a sudden jump of 15 per cent. for depreciation. If we take the figures of other railway companies, we find there is no abrupt change. Two working ratios don't exist (1) with depreciation, and (2) without depreciation. I would remind the House of the speech of the Honourable Sir Joseph Bhore when quoting figures of working ratios of foreign countries he said that he was not sure whether those figures were with or without depreciation. When I was talking with the Secretary General of the Union of the International Railways in Paris, he drew my attention to the fact that he could not understand why there should be such a vast disparity between working expenses when calculated with depreciation and without it. I think the whole policy of putting 1/60th part of the capital at charge to the depreciation fund, in a big concern like the railways, is altogether wrong. Either we are making a mistake and the whole world is right, or the rest of the world is making a mistake and we are right. I leave this to Honourable Members on the Treasury Benches to decide. I am sure in my own mind what the right thing is. I have been through the figures for several years, and I think that a sum of Rs. 9 crores is quite sufficient to put into that fund. We are not justified at all in putting into it four crores more. The railways are a big concern. All the railways in British India are not going to collapse simultaneously: at one time a portion may collapse and we should provide for it in the revenue expenditure.

The second point is about strategic lines. I have no objection to allow soldiers to travel at reduced rates and to give them other facilities; but we are on the eve of establishing the federal railway authority and we want to put these railways on a commercial basis. We do not desire that there should be any kind of political interference and I see no justification whatever why the railways should be burdened with a sum of two crores on account of military expenditure. In the fitness of things this ought to come from the military side. Strategic lines should be Military railways: they may entrust the administration to the railway authority, but certainly they should pay for the deficit and the Indian taxpayer should not be required to pay for the Army budget indirectly when we are on the eve of reforms.

The third matter also involves a change of policy—this was alluded to incidentally by Sardar Mangal Singh

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Mulammadan Rural): You may transfer the cost of strategic lines to military accounts, but will there be any benefit to the taxpayer?

Dr. Ziauddin Ahmad: This will lead army authorities to cut down their expenditure in other ways. The third thing is the reduction in overhead charges. By the Railway Act of 1922 the British railway companies were amalgamated into four units. Before that Act there were 112 different companies—27 principal and 85 subsidiary: they were

all amalgamated into four units. In India, we have got 14 first class railways, 13 second class and 24 third class, and there are other sub-classes altogether 121. Therefore, there is no reason why these 121 different railways cannot be amalgamated into four different groups as the British Government did by their Act of 1922. Following the phraseology of the Army Department I think we should have only four groups, the Eastern, the Western, the Northern and the Southern, and all these railways, of whatever category, should go into one or other of these groups. I went carefully through the figures to find out saving in expenditure, if 121 different concerns are amalgamated into four units and I find that we would then be saving three crores in overhead charges, in transport, workshops, etc. What has proved useful and practicable in the case of the British railways, I do not see any reason why that should not be equally economic in the Indian railways, especially when the Statutory Railway Authority comes into existence, free from political control.

The fourth point to which I would draw attention to secure economy is the rate of interest. Our capital is 800 crores and we pay interest at about four per cent. In these days when the Bank rate of interest is only three per cent. I think it is very hard on the railways that they should have to pay four per cent. It is possible that reduction may be effected in that direction. This can be done either by borrowing fresh money or by issuing debentures: if we issue debentures at a guaranteed rate of interest of three per cent. and participation in the profits, I am absolutely certain that we can get the entire amount from the same persons who now hold Government securities: they will come forward and buy these debentures. Therefore, it is very desirable that our interest charges should also be reduced by borrowing.

By changing our policy in all these four points it is possible to get a saving of about 14 crores—four crores from the depreciation fund, two crores from the transfer of strategic lines to the military, three crores by amalgamation and regrouping, and five crores by reduction in interest charges—altogether 14 crores.

I now want to touch very briefly two more points: one is travelling without tickets and the other rail-road competition. A great deal has been said about ticketless travelling as if it is a great curse of Indian railways alone: but my friends did not realise that persons who travel without tickets according to their own figures is less than one in 1,000—not a formidable figure; and even these travel for very short distances only: and, therefore, the sum of half a crore which he estimates as being the loss on account of this is not correct: I challenge his figure. He has not considered the fact that when money is recovered from some ticketless passengers penalty is also recovered, and that pays off the price of tickets of other persons who are calculated to have travelled without tickets and undetected. Therefore the problem is not so abnormal as my Honourable friend has made out in his speech. Sir, the Honourable Member has dropped a suggestion of designing stricter legislation. A Bill was introduced by the Honourable Sir Joseph Phore making it a cognisable offence. It is a move, Sir, which will be very very unpopular in the country. (Hear, hear.) I think the Honourable Member ought not unnecessarily harass the passengers, he should concentrate and improve the comforts of the travelling public, then he will find the income will go up. Sir, the rules that exist at present to deal with those travelling

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without tickets are quite sufficient, because you not only recover the charge for the journey performed, but also a penalty. What is really needed is an improvement in the system of ticket checking. The railway authorities are trying new experiments every five years, with the result that the staff is left in a very unsettled and dissatisfied condition. This should not be done. The railway authorities must first put their own house in order, and I am sure that this particular abuse of travelling without tickets will disappear gradually. I had to make one or two more points, but as my time is up, I cannot do so.

The Assembly then adjourned for lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zamindars: Land-holders): Mr. President, at the outset, I must thank the Honourable the Railway Member for his detailed and lucid statement, but I may say that the budget itself is very disappointing. It is not the poor man's budget; there is absolutely no provision to improve the amenities of the third class passengers. On the contrary, I find that, on some of the railways, the proposal is to increase the third class fares. As a representative of the agriculturists, I must say that this budget is not in the interests of the agriculturists or of trade, because under this budget it is proposed to increase the freights on commodities. Again, I do not find any indication of reorganisation or Indianisation of the services, which will give savings.

After these preliminary remarks of mine, I come to the Convention of 1924. The main object of that Convention, as I see from the statement of the then Member in charge, was: "The railways will become a real commercial undertaking managed on commercial lines, and the taxpayer will get the benefit of commercial accounts and management." Still, to my surprise, what do I find under that Convention? The loss on the strategic lines of Rs. 2 crores is charged to the railway budget. Is that fair to the railway budget? All Parties in this House,—almost every one, has protested against these two crores being shown in the railway budget. The proper place for that loss is the military budget, where it ought to have been shown. Again, I see that the railways have no reserve at all; on the contrary, they are eating up the depreciation fund. Therefore, it is absolutely necessary for the Railway Department to have a strong reserve. I am justified in my remarks, because in 1924 when the Convention came into existence, the interest charges were only Rs. 26 crores odd, and today they are Rs. 31 crores; that is, we have to pay today Rs. 5 crores more. Coming to the traffic receipts, in 1924 they were about Rs. 97 crores, speaking subject to correction, and today they are only Rs. 91 crores. That is to say, there is a loss of Rs. 6 crores under that head. Rs. 6 crores less under traffic receipts, and Rs. 5 crores more under interest charges, and they have absolutely no reserve, and are all the time

eating up the depreciation fund! Therefore, there is absolute necessity of a strong reserve fund for the railways. My submission is that this Convention, if not scrapped, at least ought to be revised. Another argument of mine in support of a strong reserve fund is that our railways are constructed out of borrowed money, and not shareholders' money. Therefore, whether we run our railways at a loss or at a gain, we must provide Rs. 31 crores for interest charges every year; and without a reserve fund I do not know how the railways can go on. Every commercial concern, when it does any business, has reserves. Again, reserves are useful in bad years. Look at the fate of the railways. They are eating up even the depreciation fund. And the railways ought to have anticipated that they would have competition, not only from private owned railways, but also from sea and river transport and from motor service. Therefore, I submit that this Convention ought to be revised; these two crores on account of loss on the strategic lines should disappear from this budget; the railways should build up a strong reserve for all possible contingencies; and after building up that reserve, if there are any profits, they ought to contribute to the general revenues.

I come to another point. The Honourable Member in charge of Railways wants to make good a portion of his deficit, that is, Rs. 1½ crores, by increasing the freights on commodities and the fares of the third class passengers. The Honourable Member should not forget the law of diminishing returns. He should not forget, not only the competition of his own railways and private owned lines, but also that of motor and sea and river transport, and I am sure he will then realise that he will not be able to get that amount even if he were to increase the freights and fares. However, if he succeeds, that is no great achievement. I must say to him. He is throwing this additional burden on the poor agriculturist who has suffered much more than anybody else, and this might be the last straw that will break the camel's back. The trade is in a state of depression, and if anything, he should rather have eaten up more of his depreciation fund than touch this particular class of people who have already suffered very much.

I might make some constructive suggestions now. To make good this Rs. 1½ crores, he has himself made some suggestions. But, in order to see that the railways are run purely on commercial lines, he should exert himself to see that the loss of Rs. 2 crores on the strategic lines does not appear in his budget, and I assure him that every Member of this House will be at his back in that effort.

Mr. N. M. Joshi (Nominated Non-Official): What difference does it make to the Government of India's revenue?

Sir Ghulam Hussain Hidayatallah: It does. The Honourable Member should then immediately tackle the question of co-ordination of road and rail transport. He is losing considerably, a sum of nearly Rs. 3 crores, on that account. Mere conferences will not do; real action should be taken, with the consensus of all parties, in regard to this matter. Then, he has made a suggestion about the ticketless travellers. I am one of those who will support him whole-heartedly in any legislation that he may propose, because it will give him a sum of Rs. 50 lakhs. Why should these people travel without tickets and go without any punishment? If he gets these sums, he need not increase the freights on commodities and the

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fares of third class passengers. If his department exercises sufficient supervision and control about under-weighment and mis-declaration of goods, I am sure that will also bring him some money; and from the new scales of pay, he might get 20 to 25 lakhs of rupees. I will request him not to increase the fares of the third class passengers, and the freights on commodities. Before I sit down, I must, as the representative of the agriculturists of Sind, protest emphatically but respectfully against the increase of one anna per maund on wheat within four hundred miles of Karachi. That is, they are penalising the whole of Sind, and the reason given is that this year wheat paid them 7 lakhs less. Therefore, they want to penalise only Sind and no other part of India, without exploring the causes. The Honourable Member may not know that there was a failure of the wheat crop in Sind. Does he not know that wheat from the Punjab and other parts of India, instead of coming to Karachi, goes directly to other ports, because other railways have reduced their rates? There has been a diversion of trade, and if the Honourable Member collects the figures, he will be convinced that the railways which have diverted the wheat trade of Northern India, including the Punjab, are the Jodhpur Railway, the Bombay, Baroda and Central India Railway and the East Indian Railway. What is the result of this? The poor agriculturist in Sind pays 12 annas more per acre, and what will be the effect? The whole of the Sukkur Barrage will be ruined. If that happens, the Honourable the Finance Member and his Government will be responsible for the ruination of this scheme. Now, out of the Sukkur Barrage lands, only one third of the land intended for wheat is cultivating wheat. Two-thirds remain to be cultivated with wheat. Now, with this 12 annas per acre additional tax, I do not think the people will cultivate wheat, the prices of which have already gone down. Not only that. It will be a great discouragement to people from buying Sukkur Barrage lands. I draw the attention of the Honourable the Finance Member to the fact that if the scheme fails, it will do so because of these reasons.

Mr. B. Das: You don't blame Lord Lloyd or yourself who was a Minister?

Sir Ghulam Hussain Hidayatallah: We have done the right thing. This Government is ruining whatever little we are getting. What will be the effect of that? If people don't grow anything, the Provincial Government's revenue will suffer.

Mr. B. Das: They gave a lakh and a half last year for agricultural development?

Sir Ghulam Hussain Hidayatallah: This is a small sum considering the agriculture in Sind. I will read out a few extracts from certain representations before I sit down. One is from the Chairman of the Lloyd Barrage Advisory Committee, which is a nominated body, not an elected one. Government always fights shy of the elected people. This Committee are their own nominees. What do they say? They say:

"Wheat is a commodity which is grown in Sind mainly in the area fed by the Barrage Canals, and, therefore, our Committee is greatly concerned with your suggestion of increasing the freight on wheat for distances of 400 miles and under. The average increase apparently will be about one anna per maund, say Re. 0-12-0 per acre,

equivalent to an addition of 19 per cent. to the combined land and water revenue. The whole of this large additional tax—for it is a tax and nothing less—will have to come out of the pockets of agriculturists of Sind, who cannot add it to their selling price, since their competitors in the Bengal and other markets, i.e., the growers of Punjab and U. P., are not charged this extra tax and will not therefore add it to their price.

When Punjab Irrigation schemes were planned out and brought into active service, it was given a distinct impulse by the N. W. Ry., by decreasing the Railway freight from Punjab to Karachi, with the idea that it should give incentive and advantage to the growers of wheat and such other useful commodities in the interests of all concerned. It brought prosperity to the people of the Province and also to the N. W. Ry., and therefore it is not understood by my Committee why similar treatment should not now be given to the area covered by Lloyd Barrage Canals with similar aim and purpose to give the growers in Sind incentive and advantage to enable them to grow more at economic rates and thus become prosperous, which would ultimately mean prosperity of the Province and the Railway too."

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"It is not also understood why the advantage of lower freight is denied only to Sind, when it is given to other Provinces. All the area in Punjab will be above 400 miles, and growers there will be gaining the advantage, while Sind will be losing considerably at the same time. The recent decrease in freight by the East Indian Railway, Jodhpur Railway, and other Railways for carrying wheat have placed Punjab in a much better position in relation to its trade with Calcutta and Bombay and Madras. Looking at the freight at various places on other lines even over 600 miles, we find that the freight is about the same which you now propose for 250 miles to 300 miles in Sind."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Sir Ghulam Hussain Hidayatallah: I will take only two minutes more:

"For instance, the freight payable from Cawnpore to Calcutta, 633 miles, is precisely the same as you now propose to charge from Larkana to Karachi, 265 miles. Thus it will be seen that Sind is decidedly to be treated, if your proposals are carried out, with great unfairness and injustice.

In the memorandum which has been sent with your letter, whilst the figures have been given of the quantity of wheat carried from Stations above Samasatta and Stations below Samasatta to Karachi, similar figures are not shown for wheat carried from Layalpur and other places to the limit of N. W. Ry., where it meets the East Indian Railway and other Railways * * * * Furthermore, as you yourself are constantly preaching, you have to consider not the N. W. Ry., alone but the Indian Railways as a whole. Yet you have given no figures of traffic that is rightfully Karachi's but has been drawn off from Karachi by manipulation of freights by the E. I. R., B. B. & C. I., and Jodhpur Railway. When these figures are considered, my Committee are confident that it will be found that Sind growers are not paying too little for their freight, as you allege, but too much. So far from increasing freights for Sind's wheat to Karachi, you should decrease them as competing railways have done."

I must bring it to the notice of the Honourable Member that the prosperity of the railways, the prosperity of this Government, and, in fact the prosperity of the whole country depends on the prosperity of the agriculturist. (Applause.)

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Sir, it has become a habit with some people to congratulate the Members of the Government whenever they introduce anything. If he produces a surplus budget, then the Member is congratulated for his surplus budget; if he produces a deficit budget, then also he is congratulated for the lucidity of his expression. If there is neither of these, then also the Member of Government concerned is congratulated, because he is a Member of the mighty Government of India. Sir, I do not propose to follow that example.

[Mr. T. S. Avinashalingam Chettiar.]

I presume, Sir, that when the separation was made of the railway budget from the general finances of the country, there was an idea that the railways would be managed in a more business-like manner than if the finances are jointly bound up with the general revenues. Sir, I am afraid that that object with which it was started has not materialised very much. The railways are not managed in any manner that may be called business-like. Honourable Members connected with business will know that every business is managed according to the profits they may get, and, if no profits are forthcoming, they really cut their expenses down to the level in which they may be able to run it efficiently. No business can survive long if it continues to be run at a loss and if it continues to sustain losses of five crores or four crores a year and if the management wants to pay it out of certain funds which have been reserved for some other purpose. In this connection, I may say that last year, when objections were taken from this side of the House, and when Member after Member had said that the pay cut should not have been removed, the one explanation that was given for the removal of the pay cut was that the Government of India had removed the pay cut in the case of their employees, and so it was right that the railway employees should also go along with the Government servants in this matter and that their pay cut should also be removed. Sir, I am sorry that, in spite of the vehement way in which it was opposed and although it was pointed out that the position did not show any improvement, enough to show that the pay cut should not be removed, the pay cut has been removed, with this result that we are having a huge deficit of about $4\frac{1}{2}$ crores this year also. Looking at the position of the railways just now, the deficit is not really $4\frac{1}{2}$ crores, and it is much more. May I, in this connection, quote from page 4 of the Explanatory Memorandum. Here they have explained the present position of the finances, and they say:

"But this method of expressing the financial results of railways, though it has the merit of simplicity, overlooks some important factors:

* * * * *

(c) No allowance has been made in this statement of the position for any provision for amortisation of capital so necessary in a concern of this nature, nor for any contribution to general revenues. If the latter had been, or could have been, regularly paid according to the convention of 1924 the total payment should have been over 72 crores, whereas only 42 crores has been actually paid. Secondly, if instead, provision for amortisation of capital had been made on the scale suggested by the Percy Committee, the total for these thirteen years would have been 65 crores."

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

Considering these factors also, the real deficit comes to much more than $4\frac{1}{2}$ crores this year. When we are asked to meet a colossal tragedy of this nature, we might legitimately expect that in the budget speech we should have some sound remedies suggested. It is an open secret that the railways have not been in any better way, rather they are in a worse position than last year, and many Members have tabled questions asking Government as to what steps they propose to take to meet those

conditions; but now, Sir, in the budget speech, we are disappointed to find that there are no radical remedies for the radical ills of the railways. We are merely given small lectures on how some servants of the Government were defrauding the railway companies, how they were taking *dustoori*, etc., and how Honourable Members of this House might help the Honourable Member in detecting ticketless travel, and I absolutely agree with what my Honourable friend, Sardar Mangal Singh, has said, that in spite of all the enactments that you may make in this House, the amounts that my Honourable friend will get by this means will not be very much.

Then, my Honourable friend was talking about the rail-road competition, which really is a matter of great importance, but I may suggest that that is not a matter which will solve the present depression of the railways. I would suggest one thing, besides this. Sir, it was rather a poor consolation for us for the Honourable Member to show, as he has done in the concluding portion of his speech, that we are not the one solitary example in the world of railway revenues falling, and it is a poor consolation that other countries also—the British Group, the Nigerian Railways, and everybody else—are also suffering great losses. I ask them to emulate their examples when it is good for us to do so. Sir, in this matter, when we are sinking, let us not simply point out to ourselves examples of how others are also sinking lower down. Sir, I have heard schoolboys saying, when asked why they failed: "Oh, the boy in the next house has also failed, and so I am not the only boy that failed". Such an attitude will not do in this matter when we have been continuously having deficits of five and six crores; and when we ask you as to how you are going to meet this situation, you simply come and tell us: "Oh, the railways in many parts of the world have failed, and so we have also failed". Sir, that is a puerile sort of consolation for us. Radical ills call for radical remedies. There are ills, for instance, when a man is dying or is very dangerously ill, and there is no time to lose, then it won't do to prescribe some homeopathic doses, but one must be ready to apply radical and strong remedies. In the same way, I would suggest that the one way in which we can at present meet this big deficit is by having a good cut in the pay of the railway employees. In this matter, I am aware that there are employees on the railways who receive Rs. 15 per month, as well as Rs. 5,000 per month, and, in that case, I would suggest that, there should not be a uniform cut as was done previously. I would suggest that people receiving pay below Rs. 100 should be excluded and people who have been receiving below Rs. 100 should not be affected by this pay cut. I would here point out to this Honourable House why I think that a wage cut is a big factor in the circumstances of the railways. I would draw the attention of Honourable Members to pages 30 and 31 of the Report of the Public Accounts Committee of this year. On page 30, Mr. Das asks thus:

"Mr. Das: Item 13: you have increased the average (passenger mile), rate from 2.42 to 3.34. You have done so, because you wanted money for your extravagance over the staff. The cost of staff is given in items 28 to 30. The total number of staff you have reduced from 1929-30 level. In 1913-14 you were spending on the staff 14.01, whereas in 1933-34, your expenditure on the staff was 34.61. I know you have reduced the expenditure on staff by five crores owing to the recommendations of the Retrenchment Committee. But that does not satisfy me. If it was a commercial concern, private owned, you would have reduced the staff and salaries still further."

[Mr. T. S. Avinashilingam Chettiar.]

To which Mr. Rau answers:

"With regard to the cost of the staff, most of our staff are on an incremental basis and naturally the cost increases year by year. In the revised scales of pay, we have reduced the incremental basis to a considerable extent."

That is, Sir, the Honourable Member would ask us to wait till this reduced incremental basis comes into effect. For aught we know, it may come many many years afterwards.

Later on, Mr. Das asks:

"My point is that your staff is almost stationary; it is 633,000 in 1913-14 and 667,000 in 1933-34."

That is, there has been only an increase of 4,000 from 1913-14 to 1933-34. Mr. Rau answers:

"That cost has gone up."

Mr. Das again asks:

"The cost is 250 per cent. more. Even the Lee commission did not allow the Civil Service more than 20 per cent. and here you are paying your railway staff about 250 per cent. more."

To which Mr. Rau says:

"Just after the war, rates of pay for all Government servants were considerably increased and that was permanently done in the belief that the high prices would continue. We did not follow the British practice of having a temporary cost of living allowance. And when we are reducing the scales of pay, we are reducing them only for future entrants."

Mr. Satyamurti asks:

"Why not reduce the rates on the cost of living basis in the case of everybody?"

Now comes a most surprising answer from Mr. Rau:

"Government thought that it is a question of vested rights and that the staff should remain on the scales they were in receipt of, but it is a question of Government policy as a whole and I could not possibly say anything on this."

Well, Sir, railways are losing heavily every year and they have sunk to the lowest depths and yet this question of vested rights is trotted out. We have got a deficit till now of 40 crores. In the Honourable Member's speech introducing the Budget, there are many portions where he says that they expect a deficit to the extent of four or five crores generally, but that he did not know when that recovery will come. Last year on the 23rd August, 1935, it was made perfectly clear in the Public Accounts Committee that though the railways were sinking so far as the income was concerned, yet the most surprising answer was given that the vested interests should be safeguarded. I would like to put it to the House that no amount of vested rights can stand before national distress and the way in which railways are going down in their income is, I think, a sufficient justification to show that even if there had been a thousand vested rights, it was high time that they put their foot down on these vested interests. The Government should do the right thing by cutting the salary of these highly paid railway officers. I would suggest it is no good to take the path of the least resistance. That everybody does. The sign of greatness

lies only in taking a bold step, a real step in advancing the cause of the country instead of pandering to the so-called vested rights. If vested rights have been created in the matter of railways, surely it is high time that Government should, in the face of heavy deficits, interfere boldly and save the interests of the country rather than the vested interests. As the Honourable Member for Railways himself said the railways are our greatest national assets. If they go down in value, then our national income goes down I would suggest to the Honourable Member to take this one real and strong and right remedy and instead of looking after the small incomes which he might get from these poor ticketless travellers and others, he must take a bold step and introduce the wage cut in the case of highly paid officers. Last year, when the five per cent. wage cut was removed, it brought a sum of 92 lakhs, and, in order to get a sum of two crores, we have only to introduce a ten per cent. wage cut. I would urge this point on the Honourable Member.

Mr. Sham Lal (Amhala Division: Non-Muhammadan): Sir, really the budget is disappointing, and I do not think the Honourable the Commerce Member deserves any congratulations or condemnation. He is as much a victim of this vicious system as we are. He cannot do better. He has presented this picture, a true picture, certainly, and, of course, credit must be given to him for this. But it is poor consolation for us if we are told that our greatest national enterprise or undertaking is going to be ruined. For the past six years, we have been continuously losing. We have lost till now about 32 crores, and when it was expected that the railways would add something to the general revenues of the country—what to say of the general revenues, even the depreciation fund is being depleted. In a few years, it will practically disappear. Every Honourable Member spoke that the Railway Department was a commercial concern, and, therefore, it should be run on commercial lines. The same argument has also been advanced on behalf of the Government, but I think we have forgotten that it is not at all a commercial concern, but that it is an imperial concern. The railways do not exist for the convenience of the masses in India, but they exist for the maintenance of this Imperialism and it is not within the power of the Honourable the Commerce and Railways Member to remove that root cause. If he were to remove that root cause, then it would certainly be a paying concern. I submit that, if it were to be put on a commercial basis, then you must first remove these vested interests. Now, what will you find? After the speechifying is over and after we have moved the cuts and after everything is over in this House, things will go on as merrily as before. You will have nothing but the construction of a platform for the Viceroy costing Rs. 50,000—though it is a deficit budget. You will find beautiful saloons constructed for high officials and, if there is a greater deficit, you may perhaps find some British experts imported from England to put these railway matters right and they would all get their allowances paid for doing this work. My submission is that purely as a commercial concern, railways cannot be a losing concern at all. It is a losing concern, because it has to serve imperial interests. Member after Member has risen and said that it was a commercial concern, and, therefore, if it is not paying, what could we do? We could only increase the fares and freights. But, then, will it ease the situation? There is a proverb:

“(Kumbhār ki Kumbhari par pār na basāi, ga:the ke kār khāinche).”

[Mr. Shyam Lal.]

It means that "a potter, who could not do anything to his wife, pulled the ears of the donkey". The Honourable Member for Railways could not do anything against the imperial interests and so he says that the fares and freights should be increased, the poor man's salary should be still further reduced and the highly paid officials should get something more. That is the only thing which the Honourable Member for Commerce and Railways has done. Now, Member after Member who has congratulated the Honourable Member for Railways has urged that this two crores deficit is due to the strategic lines for the purpose of the military. If the railways are really a commercial concern, then this loss on the railways should be shown as expenditure under the military head. Of course the point was made that whatever be the head under which it was shown, even then, it will be paid by the taxpayer. That is a different thing. But what is military expenditure should be really shown as military expenditure and then if we have got the power to reduce the military expenditure, let us reduce it. Let there not be any false notion about this; let there be no wrong idea that our railways are losing. But I do not think it is within the power of the Honourable Member for Railways to show that expenditure under the military head. He cannot do that. He can only say one thing, that is increase the railway fares and freights. That is in his power, other things are not in his power. Suggestions have been made that the high salaried officers should be retrenched that the Lec loot should go and that all other perquisites should be withheld. But this is not in his power to do. This is a limited company in which the dividends of certain Directors are guaranteed and less cannot be given to them. Less cannot be paid to them. So long as the railways enjoyed a monopoly of traffic and so long as there was no competition, they could afford to pay that dividend and could also show a profit. But now the position is quite normal. If it wants to succeed, if it wants to be a profitable concern, it should be run on commercial lines. The administration of railways should be rational and economic and it should be run as private concerns are run, i.e., it should remove the grievances of third class passengers, stop corruption, increase the salary of low paid railway officers in order that they may not be corrupt and reduce the salaries of the higher officers. Sir, I may say from my own experience that I have seen high salaried railway officials playing bridge from morning to evening in their saloons, and they have got only one hour's work in the day. Nobody takes any notice of this. There is a surplus of officers who are wasting their time and doing nothing except enjoying club life and bridge; and they lose Rs. 20 or 30 a day on bridge. This I have seen with my own eyes. You cannot keep surplus officers and pay them high salaries and then say that it is a commercial concern.

Then, take the Indianisation of services. How can it be done when you earmark your money for Englishmen, for Europeans and for these highly paid officers, and still expect that your budget would be all right and you will be able to save money and do something for the masses? My submission is that you cannot do it. Unless there is a remedy for that you cannot get over the difficulty and it is going to be a losing concern. There is competition by motor cars and if you do not cater to the wants of the third class passengers and if you do not do it on a commercial basis, I think the railways must lose. It is not a case of one year; it is not a question of accident. I think rather that they should be awakened to their sense of responsibility. And what suggestions can we make? It

is expected of us that we should make constructive suggestions. If our constructive suggestions can be accepted, if out of ten even five of them can be accepted, we might be encouraged to make those suggestions. But we know that every year we make suggestions, every year we talk of third class passengers and of their grievances, but the only reply that is given, is, Yes, the Railway Department has got every sympathy but has not got enough funds and has got a deficit. And then, there is the construction of saloons and the construction of special platforms. If these things go on, how can we be encouraged to make constructive suggestions? Certain constructive suggestions have been made by Honourable Members and they are not going to be accepted. Is there not unanimity of opinion in this House with regard to the loss on strategic lines, and has it not been the topic for the last five or six years? But what have Government done? So far as the military needs are concerned you cannot touch them; that is not a commercial concern. It must carry the military from one end of the country to the other; it must carry the army from India to Europe in order that the world may be safe for democracy. The world was going to be made safe for democracy but it has been saved for imperialism. Any department that you take up here, whether it is the medical or educational or railways, everything exists here for imperialism. But when our liabilities are to be increased, when our burden is to be increased, it is said that it is a commercial concern. Therefore, my submission is that whatever suggestions we may make, there is only one disease and that disease is imperialism. When the imperial motive underlies the railway administration, the railway administration cannot succeed, it must be a losing concern. But I think it is in the nature of things, so far as the railway administration is concerned, that if it is run on commercial lines it cannot but be a profitable concern. What we say is that our difficulties must be looked at and remedied. Railway timings are not fixed in accordance with the habits of Indians or according to the conditions of India. Every train must stop at Delhi for two hours and start at 10 p. m. so that the European guards and European passengers may have their dinner. They do not care if these trains pass through the intermediate stations at night and no passenger would be able to sleep.

Then, there is the question of reservation for the railway employees. I think there should be a rule that railway employees travelling first and second class may travel in those classes only if there are unoccupied berths, but they should not be allowed to get their berths reserved. What we say is that other passengers cannot get any berths if railway employees manage to get their berths reserved. And there is overcrowding not by the passengers but by the railway employees. Nobody pays any attention to this. In all the stations you will find that there are no covered platforms for third class passengers, and, however big the station may be, they have to stand under the heat and rain, and nobody cares for it. If the railway administration wants to succeed as a commercial concern, why should it not try to remove the grievances of third class passengers? The railway freights have been fixed in such a way that British trade may develop, so that it may help the British trade. Is it in the power of the Commerce Member to reduce the railway freights or to adjust them in such a way that Indian trade may develop? Has he got the power to go against British interests? I think it is quite useless to make any suggestions in this House so long as there are those interests over which nobody has got any control. And there is only one remedy for all these

[Mr. Sham Lal.]

departments. We should try to remove and destroy this vicious system, and unless it is destroyed we cannot get relief in any way; and, however sympathetically a Government Member may be inclined and however good he may be, it is not in his power and it is not at all possible for him to give this relief.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Sir, the Honourable the Railway Member said at the very outset that he has not got a cheerful tale to tell, and he certainly does not deserve any sympathy from this side of the House because of the huge deficit of 4½ crores. But I am thankful to him for making one nice observation in his speech as regards the privilege that the House has got at present of raising cut motions and discussing the railway finances. I will first touch this point very clearly and candidly. In this connection I will refer to the speech of Mr. Neogy,—who unfortunately is not in this House,—made on the 24th February, 1934, when he discussed the question of statutory safeguards for railways. In the discussion he expressed quite clearly and candidly what should be our position so far as moving our cut motions in this House is concerned. And I invite the attention of the House to that today because the Commerce Member himself has admitted that this privilege of discussing these cut motions should not be curtailed. I think this practice will continue and he also desires this system to continue, but how far it will be possible for me to develop the points properly within such short a time at my disposal I do not know. I am quite sure, however, that under the Statutory Authority the House will not be able to discuss the motions as it is doing today. That is a most vital point, and I hope the Honourable the Commerce Member will take note that under no circumstances should the privileges of this House be curtailed. One of the best privileges the House possesses is to move cut motions and raise matters of importance, e.g., public grievances.

I have no time to discuss the various aspects of this question as my time is limited. I must confine my arguments to the question of shortage of revenue due to short lead and long lead traffic. On this particular point, Sir, I can quote no better authority than Mr. Neogy who raised a discussion on it on the 24th February, 1934. He said:

"Sir, I remember to have read in the evidence, that was tendered before the Acworth Committee, statements made by responsible men, like the Chairman of the Board of Directors of the Great Indian Peninsula Railway Company, as it then was before it was taken over by the State, that the railways attached as great an importance to the handling of foreign traffic as to internal trade. Of course, it was not admitted that the Indian railways were neglecting internal trade, but it seemed to me, reading *'between the lines'*—(and this is very important)—"that they attached greater importance to foreign traffic, both inwards and outwards, than to the development of the internal trade." (Cries of "Hear, hear.")

When the Honourable the Commerce Member has admitted that there is world depression, does he not think it proper to give some facilities for the inward traffic? Instead, he suggests raising the rates. I would ask him in all earnestness: "Is it fair, when there is trade depression, that he should check the growth of agriculture and the advancement of Indian national industries?" That is a very important point. I hope the Honourable Member in his reply will satisfy the House about the argument that he used when he said that the decrease in income was due to short lead traffic.

I now come to strategic lines. There is a deficit on account of these lines. I think the railways get about Rs. 40 lakhs or so—I do not remember the exact figure—from the Postal Department for the Railway Mail Service. Why do they not take a similar amount from the Military Department for the strategic lines? The strategic lines are used, not for commercial purposes, but for defence purposes. Why should they not get some contribution from the Military Department, also from the Imperial Government, I mean the British Government? Why should the Railway Department be burdened with the expenses on account of these strategic lines which, as I have said, are maintained purely for the use of Military purposes and Imperial purposes as well? If this is done, I think the deficits can be lessened by at least a crore and a half of rupees.

The Honourable the Railway Member in his speech has thrown out a warning that there is going to be strict legislation for travelling without tickets and that he would introduce a Bill at an early date. He has given figures about the position on Indian railways in this respect. I would ask him in all earnestness whether he has found any other country in the world where travelling without tickets has been made a cognisable offence. So far as I can remember, his predecessor, Sir Joseph Dhere, wanted to bring in legislation to this effect, but thank God he has not done so. It is preposterous to think that travelling without ticket will be made a cognisable offence and people will be sent to jail. I do not think such legislation prevails anywhere in the world. We know from experience—it has been said times without number—how irresponsible the executive is in this country. We know that the powers given to them are misused. If such legislation is brought in, would it not be a great hardship to the passengers and to the public, and would it not lead to the harassment of these passengers? Before legislation is embarked upon, I would like to know what is proposed to be done in regard to the railway employees who generally travel without tickets—I do not grudge them their passes. How far have railway employees misused the privileges given to them? If it could be calculated, I think the figure would amount to more than the figure the Honourable Member suggested as the loss due to travel without tickets. That is another point which I wanted to raise.

Lastly, I come to the rates and freights policy. About this I think I made my observations in 1933 during the course of the general discussion on the railway budget. The rates and fares should be revised and they require a thorough overhauling. Otherwise it is impossible to give any impetus to national trade, national commerce and national industries. As my Honourable friend, Sir Ghulam Hussain Hidayatallah, admitted, in the course of his nice speech today, the interests of the agriculturists, who form 85 per cent. of the population of this country, have to be considered. Their interests have to be looked into first, and every avenue should be explored to give impetus to Indian agriculture.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I heard with the greatest attention the speech that the Honourable the Commerce Member delivered the other day; and, later on, I read that speech with the greatest care. I should like to add my own word of congratulation to the Honourable the Commerce Member, but for reasons very different to those advanced by other Members of this House. I should like to congratulate him for his self-complacency. I should like to congratulate him also for his capacity to see the mote in

[Mr. Sri Prakasa.]

other people's eyes and refuse to see the beam in his own. I should also like to congratulate him for his power to put all the blame for all mishaps on others—from world depression to the ticketless traveller—and feel very self-righteous in his conviction that all that he does is for the good of the world.

I shall take his *betes noires* one by one and dispose them off. His first great objection is to the rail and road competition. I want to say, Sir, how this road-rail competition came into existence. In my province, an early Lieutenant-Governor, Sir John Hewitt, started the habit of travelling by car; and then the roads in the province got metalled and improved, so that he could travel in comfort. It is the usual habit with people to copy those in power. You know, Sir, that when royalty starts limping, everybody thinks that is the proper fashion and starts limping also. (Laughter.) When royalty undergoes an operation for appendicitis, that disease is supposed to be fashionable, and even those who have not an extra appendix get themselves operated upon. And so, when the Governor of a province starts touring about in motor cars, other people feel that they should do the same. The example is catching; and from private motor cars to public buses is only a small jump. Now, why should these buses and lorries be so much more popular than railways? The great thing about lorries is that there is equality. There are not four classes in lorries as there are in railways, perhaps in keeping with the four-fold division of the Hindu peoples. Except when an occasional policeman is made more comfortable than others and travels without paying his fare, everybody else pays equally and is supplied with equal accommodation. Moreover, the lorry-man is very courteous: he invites you with great enthusiasm and helps you to put your luggage and seat yourself comfortably. If railways also did the same, they would be equally popular. All distinction of classes should be abolished from railways. You know that in England they have only a first and a third class; and sometimes a second class for suburban trains. But here we have four classes. If we had only one class on railways, with perhaps an extra class at nights for those who pay a little extra and want sleeping accommodation, much of the trouble that we experience on railways would disappear. The difference in classes results also in difference of treatment meted out to the different classes of passengers. For a railway official it should really make no difference whether a man travels first or third class: his sole duty is to accommodate a passenger in the class he has a ticket for and make him as comfortable as circumstances will allow. But what does actually happen on platforms? When there is a first class passenger, the whole lot of officials attend to him in order to try to make him comfortable, and hundreds of third class passengers are left to shift for themselves. That is the cause why railways are so unpopular. A little bit of Communism would improve our railway administration a great deal. There are no deficit railway budgets in Russia; and third class passengers have got good accommodation and are looked after as anybody else would be.

It would also be a good thing to abolish all special saloons. These set a bad example, and make railways unpopular. Then, there should be also an equitable distribution of expenditure on various types of railway stations. In my province, we have got two huge stations at Lucknow and Cawnpore which cost, I understand, about 60 lakhs of rupees

Dr. Ziauddin Ahmad: Two crores.

Mr. Sri Prakasa: I was given to understand that each cost 60 lakhs; but my Honourable friend, Dr. Ziauddin Ahmad, knows more mathematics than I can ever hope to know; and so I shall take his figures. Two crores have been spent on these two stations; and they are no better than the stations we had before, so far as convenience and accommodation are concerned. Small stations continue ill-lighted, ill-equipped and ill-cared for; and very often there are accidents, because there are not over-bridges there. If we had an equitable distribution of expenditure, we should all be happy.

Next comes the great *belic noir* of the Honourable the Commerce Member: it is the ticketless traveller. Personally I have the greatest respect for the ticketless traveller. I admire his courage, for I never had that courage myself. Only once, I happened to be a ticketless traveller in circumstances so lucidly described by my Honourable friend, Sir Leslie Hudson. I could not get a ticket at the last moment at the Etawah railway station, and jumped into the train. There were friends who had come to see me off and I requested them to inform the guard that I was travelling in the train in that predicament. At about one o'clock at night, a travelling ticket examiner came in: I explained to him the circumstances: he would not believe me. I said: wait till the next station is reached, we shall speak to the guard. He said the guard had no business to hear anything on this subject. The intermediate class fare between Etawah and Aligarh, to which station I was going, is Rs. 2-8-0. He charged me Rs. 2-8-0 for the fare, Rs. 2-8-0 extra as penalty, and another Rs. 3 for not booking. I quietly paid the total sum of Rs. 8, because the ticket examiner was creating a scene and I was feeling rather funny in the midst of a crowded compartment. What happens in other countries? In other countries, you are only charged the exact fare. Why should not our railways do the same when a man is travelling without a ticket? You just charge him what he should have paid at the start. If he had to pay Rs. 2-8-0, he pays Rs. 2-8-0, and there is an end of the matter. There should be nothing disreputable about being found in such a position when you were really not able to secure a ticket at the start that you wanted to have. To charge a man Rs. 8 for a fare which should have ordinarily cost Rs. 2-8-0 is, I think, monstrous. It is dacoity; and my Honourable friend, who has waxed eloquent against the ticketless traveller and has called him a thief, should realise that other people who charge so heavily are thieves of a worse variety. There should be no penalty imposed. The Government of India are very fond of penalties. In England, if an envelope is not properly stamped, you pay at the other end just the amount that should have been paid by the person who sent the letter originally. So also in railways. But, here, there is always a penalty. If you get a bearing letter, you pay twice the money that should have been paid originally. If you are found travelling without a ticket, even in the most *bond fide* of circumstances, you pay double, *plus* the penalty for non-booking. These things make the railways exceedingly unpopular.

Then, you get into other sorts of trouble also. A friend of mine who is very conscientious—over-conscientious in fact—was once not able to get a place in a second class compartment and so entered a first class.

[Mr. Sri Prakasa.]

This was on the Bengal and North Western Railway, popularly known in my province as "Bewakuf Nalayak and Wahiyat (*i.e.*, foolish, incapable and absurd) Railway." He informed the guard of this when he got off at Allahabad, he went up to the guard and said: "I travelled first class, as I informed you. Please take the extra money." The guard said: "Hand over a rupee to me and be done with it." He said: "No, you must charge me what I should pay and you should also give me a receipt." The guard got angry and so he charged him the extra fare as well as penalty, refusing to acknowledge that information had already been given to him. So that, if you are honest that way, you get into further trouble. These things have to be remedied. What is the use of bringing in legislation and harassing people and not seeing the faults that are your own?

As regards weighing, the Honourable the Commerce Member is very angry at under-weighment. So far as I have observed, if the luggage of a first class passenger is weighed, it will always be found more than a maund and 30 seers that he is allowed to carry. But a first class passenger is always a hectoring individual; and he manages to go through without much trouble; and all the faults of commission and omission fall upon the poor third class passenger.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has got only one minute more.

Mr. Sri Prakasa: All right, Sir. So, Sir, what our friends should do is to make their railways more popular. They should also have an equitable division of salaries. If you go to the Railway House at Calcutta, you find a lot of Boobies sitting behind their tables without any papers and with practically nothing to do. They are all getting large salaries; but if you enter the clerks' rooms, you find these poor ill-paid people over-loaded with papers and with trouble. Therefore, Sir, you should maintain a better proportion in salaries. By that means you will be able to save a crore of rupees at once. If statistics are taken, I do not think the Honourable Member will find that anybody whose salary was cut before (and has now been restored) had died of inanition or starvation during the years of reduced salaries; and if these people could live all right during those two or three years, they can certainly live now when prices are much lower.

Then, Sir, the railways should also be used for educative purposes. At the Summer Hill Railway Station, I found a very good notice put up. Courtesy, the notice said, pays, and it enjoined on the railway officials to be scrupulously helpful and courteous. The railways can also be used for purposes of educative propaganda, for teaching passengers simple civic rights and duties, for teaching honesty, cleanliness, etc. If the railways want to become more popular, then the authorities should also consider the convenience of the travelling public. Sir, latrines are an important part of human economy, and on railway platforms, you find all open latrines exposing persons, who use them, to each other. These exposed latrines should be eliminated; and arrangements made for proper privacy and decency. Steps should be taken to prevent overcrowding compartments, Sir, should be kept clean and. . . .

Mr. Deputy President (Mr. Akhil Chandra Dutta): The Honourable Member will kindly conclude now, as his time is up.

Mr. Sri Prakasa: Very well, Sir. Comfort and convenience of the public should be taken into consideration. Wire boundaries along railway lines should be constructed to prevent accidents; *Dharamshalas* should not be blocked by walls built by the railway, as the one at the Etawah railway station has been. Bridges for pedestrian traffic should not be closed, as the one over the Jamna near Kalpi was recently closed. If the welfare of passengers is also looked after, railways will undoubtedly become popular. I hope, Sir, these few suggestions will be taken to heart by the authorities. I had a number of other suggestions to offer, which, for want of time, I am sorry I cannot make now; but even if the few suggestions I have made, within the brief time at my disposal, are given effect to; if proper arrangements are made for the supply of good food on railway platforms; if *begar* (forced labour without payment) is not taken from porters by railway officials and porters are enjoined to look after passengers; if uniformity is maintained between the various railways as regards fares, etc., and there are no confusing and complicated rules about alternate routes and break of journey, as there are on the East Indian Railway;—if all that is properly done, then the railways will become really popular; but, if not, then the railways, along with the Government that runs them, are all bound to go down together.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I don't want to make a long speech . . .

Mr. Deputy President (Mr. Akhil Chandra Dutta): The Honourable Member wants only five minutes, the Chair supposes.

Maulana Shaukat Ali: Yes, Sir. I do not want to take more time of the House. I did not hear the maiden speech of my Honourable friend, the Commerce Member. I was absent. Further, no papers were supplied to me, and I got them only today. Therefore, with these handicaps I am not going to criticise my friend, the Commerce Member. I only want to help him a little if I can. He has come from public life. He has not been an official, and for these reasons, he has my sympathies. Further, Sir, I want to mention one other fact, and it is this. He and I are Muslims, and we Mussalmans have a way to deal with our budgets. We begin our yearly family budgets either with a minus balance or with a zero,—at least I do so. My friend knows it, but somehow we manage to get along by adopting the golden rule which I mentioned the other day in this House,—but nobody will take any wisdom from poor me, and, therefore, I would like to emphasise the fact again today? and like a true God-fearing Muslim, I advise “When you have money, spend it; when you have got no money, starve.” (Laughter.) Either you should have *Id* or *Ramzan*”. And I would suggest to my friend that he and the Railway Department must fast and have *Ramzan* for a whole year. (Laughter.)

More, I should like my friend, the Commerce Member, to Indianise all the railway services. For one special reason at least I should like all the railways to be Indianised as early as possible. At the same time, I would suggest something else for the Indian officials who are working in the Railway Department. I do not know the figures; I have not studied

[Maulana Shaukat Ali.]

them, but I do suggest that, when there is a deficit of 3½ or 4 crores of rupees, when there is not enough money, and when there is no likelihood of making any more money in the near future, then you should cut down your expenses. The best thing you can do is to leave the poor railway servants alone without touching their salaries. People who get Rs. 100 and under should be left alone. Those who get between Rs. 100 and Rs. 200, their salary should be cut down by two per cent; on those, who get between Rs. 200 and Rs. 500, a cut of five per cent. should be imposed and on those, who get between Rs. 500 and Rs. 1,000 a cut of ten per cent. should be imposed, and on those, who get Rs. 1,000 and more, there should be imposed a cut of 15 per cent.. If I got these salaries I would gladly have agreed to these cuts. I do not know exactly how much you will be able to save that way, but, if my friend has got the courage to do it,—and he must have the courage to do it looking to the present financial position of the railways, then alone financial position can be improved. When things improve, when you are in a better financial position then you can have *Id* and give it to them for the whole year; but when you have no money, it is not fair that you should be merry at the expense of the poor tax payer.

Now, Sir, as regards Indianisation, and why I want Indianization, I will say that if they were all Indians in the Railway Department getting Rs. 200, Rs. 300 and Rs. 400 and more,—and I include my brothers of Anglo-Indian community also in that category as they too are Indians,—they could easily make a successful effort to cut down their expenses so that they will not feel the cut in their salaries which I have suggested. I would suggest, Sir, instead of penalising the ticketless travellers, you should penalise every one of those people getting Rs. 200, Rs. 300 and Rs. 400 and more who keeps a whisky bottle in his house. Let them use plain water for one whole year. In that way, they can cut down their expenditure and also improve their health. I am surprised, Sir, that these people are not able to live with smaller amounts. I have lived well, I have lived with princes, I look a very prosperous man—more than many—don't I in this House? But I have also starved when occasion demanded it; and I know this much that most of the money that the Government are paying to their highly paid servants is practically wasted in such useless luxuries as alcoholic drinks, furniture, clothes, etc., instead of saving it for beneficial purposes like the education of their families, and so forth. I think it will be a good thing for them if their salaries are cut down, and they should be made to live within their income. I want to suggest to my Honourable friend,—I don't want to criticise him—he has come straight from public life,—let him have the courage to cut down the high salaries in his Department, then his department and the whole country will be the happier.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhannadan): Sir, it is really unfortunate for anybody in the House to deal with a "Deficit Budget" of about five crores and odd. Of course, we must appreciate the frank nature of the statement given by the Honourable Member in charge of the Department, but probably we would not agree with him when it is said that a sincere effort has been made to improve the financial position of the railways, and, inspite of this, the deficit has existed and continued during the last four or five years.

One of the arguments advanced is the fall of traffic due to world depression. But things should have improved by now when the depression is practically ending, and we business people do feel that the world is settling at a certain level to which it had reached as the result of world's depression parity prices. The commercial world feels distinctly that the price level has settled down and the volume of business is gradually increasing although at low level of prices, and the Honourable Member himself knows by the report of the different commercial departments which he holds in his portfolio. We agree that in certain respects the depression still exists, and specially on the value, but freights are charged on the weights and dimensions and the railways should have improved their earnings with the improvement in the volume of trade. For example, if they lost money on cotton, they should have compensated on sugar. When we used to import our sugar from Java mostly, the distribution was not so much through the railways but through the steamer companies from ports. But when the sugar factories are located in such places where there is no chance of steam-ships, the railways are the only convenient distributors, and that should have compensated for the loss that they incurred on the cotton. Probably, the railway authorities have never considered this point of view on commercial basis and never made such freight and rate adjustments. Though they do claim that they are run on a commercial basis, yet I would agree with the suggestion of some of my Honourable friends that they are more imperialistic than commercial. They never care to consult responsible commercial communities about traffic and freight questions even in their own interest of earning. In the case of hides and skins, their rate is so high that the rates between Calcutta and Madras by railway and by steamer differ by about two or three times, and we cannot see how skin merchants can help the railways by sending their goods by rail when the rates are so disadvantageous. From the Punjab and the United Provinces the rate of sending stock to Calcutta is equally exorbitant. Business from the Punjab has practically stopped since the last few years. The Honourable Member would not be surprised if I make the statement that the rates are the same as they used to be during the war when the prices of hides and skins were five or six times more than they are today. A single piece of hide on the average used to cost about Rs. 6 or 7 in 1918 and 1919, whereas the average cost today is about Rs. 2, and still we have the same amount of freight on our hides. It is one rupee per piece from Cawnpore to Calcutta, and this makes business impossible on many occasions. We cannot compete with African hides, not because their hides are cheaper to produce, but because they have not got the same inland freight expense as we have here in India; although the hide is produced cheaper, our freight makes it so expensive that we can not compete in world parity prices. ■

The Honourable Sir Guthrie Russell has referred to the question of oilseeds. He said that France, one of our chief buyers, started production in her African colonies, but he probably forgot to ask to himself why France was compelled to do that. Who is responsible except these high railway freights? The railways are responsible for compelling France to develop her own cultivation in oilseeds in Africa. The freight on oilseeds from Cawnpore to Calcutta in 1933 used to be the same as between Calcutta and Marseilles. If the railways had only worked on a commercial basis, this thing would not have come to pass. If the railways were owned by private persons, they would have considered this matter with the view of a business man. As regards hides and skins, I can assure you that

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only the removal of the five per cent. duty, which was done last year by the far sighted policy of the Honourable Sir James Grigg, has been able to build up a trade in skins to the extent that our exports this year is the highest since the last 25 years. In the same manner, if rates and freights for railways were adjusted after consulting the commercial communities, it would bring more income to the railways, and, at the same time, develop the entire trade of the country. I may further say that the commercial community feels that railways are in many respects responsible for decreasing the volume of Indian Export and Imports by giving no facilities in their way on commercial basis. I submit, Sir, that the top-heavy expenditure is also responsible to some extent for this deficit. If it had been a question of a private company, probably they would not have allowed under the present conditions such high expenditure as the State Railways are having. Railways, which are privately owned, like the Martins and others, are not running on such big deficits.

Mr. P. R. Rau (Financial Commissioner, Railways): Is the Honourable Member aware that most of these small lines are running at a deficit and that they have been subsidised by the Government of India?

Mr. Muhammad Nauman: In the last few years they might have been subsidised.

Mr. P. R. Rau: The last four or five years at least, I am sure

An Honourable Member: They are all equally bad.

Mr. Muhammad Nauman: That might be, in some respects, but my impression of things is that the top-heavy expenditure of State Railways is really responsible for the deficits to some extent, and there are too many *burra sahibs* in this department. I do not grudge any expenditure on the experts, or on the engineers or locomotive people, but I believe that those people, who have only big files and normally do no work, should be chucked off, or at least their salaries should be reduced. The cuts which you had only for a few years did not make anybody poorer for the reduction in their salaries. My suggestion is that Government should consult the commercial communities in order to run the railways on a commercial basis, and, for that, my personal idea is that you should have a committee of the members of the different chambers of commerce, the Associated Chambers, the Bengal Chambers, the Muslim Chamber of Commerce, Calcutta, the Marwari Chamber of Commerce, and they will be better able to advise you on the question of rates and freights.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadian Rural): What about agriculturists and peasants?

Mr. Muhammad Nauman: Their interests would be safeguarded by the commercial communities.

Prof. N. G. Ranga: No, no.

Mr. Muhammad Nauman: As I have already said, Sir, the chief cause of deficit in the railway department is the lack of commercial investigation and the top-heavy expenditure with red tape arrangement. and I would

request the Honourable Member to have a committee of business men taken from different chambers of commerce and to adjust the rates and freights after consultation with them and improve the finance of railways with their advice and suggestions. With these few words of suggestion, I resume my seat.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Mr. Deputy President, the bouquet I have pleasure in presenting to the Honourable Member is rather a mixed one. It consists of flowers of congratulation and flowers of sympathy—congratulation in respect of the very frank, bold and courageous manner in which he has placed all his cards on the table and in which, for the first time, I think, in the history of this Assembly, the Railway Member has taken the House into his entire confidence. Apart from this, I desire to take this opportunity to express to the Honourable Member the great sense of satisfaction, security and happiness that has been created in the minds of the railway staff by the fact that he alone has made it possible to be approached by any employee who has a genuine case of injustice or grievance. It seems, Sir, that today it is easier to approach and secure an interview with the Honourable Member than it is to approach even the Divisional Superintendent of a railway. It is well known how impossible it is to approach the Agent or a Divisional Superintendent, and I hope that all railway officials will take the lesson that has been taught them by the Honourable Member. My flowers of sympathy to the Honourable Member is emblematic of what he has been called upon to administer and what is practically the wreckage of a once flourishing administration.

One has to take his mind back for a few years to realise that the Railway Administration, when it was not saddled with such a top-heavy Railway Board, was able to pay money to the general revenues of this country. Today, its history is indeed a sad and lamentable one. But it will serve no useful purpose if I were to probe into the causes that have led up to this lamentable state. Suffice it to say that today we see a deplorable condition of poverty due to the cumulative effect of inefficient administration of our railways for years past. In 1905, when the Railway Board came into existence it consisted of a Chief Commissioner and a few officers. Today it has developed into an enormous office, with a large number of officers and staff, in fact a staff whose chief duty it is to duplicate, triplicate and even quadruplicate the clerical work of the Heads of Departments of the various railways. Any one who carefully reads the Honourable Member's report will come to one conclusion, that is that the Railway Board stands self-condemned, and, in connection with this, I will read what Sir Guthrie Russell said in his budget speech in the other House. Thus is what he said:

"In my remarks on net earnings last year, I emphasise that if the railways in India were in the position of a private concern, they would, in spite of trade depression, have money available for dividends, and the same is true this year."

If I were to give short shrift to the railways, I would ask it to go through the Insolvency Act and close down. But we are not here to destructively criticise. I am out to help the Honourable Member who is out to help us and the revenues of this country, and it is in this spirit that I am attacking his budget report. The statement of Sir Guthrie Russell which I referred to just now is a self-condemnation of the inefficient administration of State Railways. When Sir Guthrie Russell made this statement, he must also have been aware of the fact that every company, which declares a dividend, also allows for depreciation, reserve, etc., and it is

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only the net profits which are available for dividend. I, therefore, cannot agree with him when he says that the deficit is attributable to the fixed interest charges which the Indian Railways have to meet. I attribute it to the inefficient manner in which the Indian State Railways have been and are being administered. I do not mean thereby that the officers who are working on the Railway Board are inefficient. On the contrary, they would bear favourable comparison with the administrative officers of any Company-managed Railway. It is the policy which underlies this State administration that I blame and that I am attacking. No business concern such as State Railways are supposed to be, can be run efficiently on the present basis or if it bends to every political pressure either in India or in England. Politicians are not business men but have personal interests to defend and protect. They must remember that if railways are worked at a profit, the profits which will accrue must go to swell the general revenues of the country. Instead what is happening? The State Railways are drawing for their very maintenance on the depreciation fund, a fund whose existence is in my opinion rather doubtful. It is said to have been accumulated during the years of prosperity. If, as I have said, the depreciation fund is not in existence, then the railways are actually insolvent and in debt. The remedy is obvious. But we must not talk any more of taking over any more Company-managed railways which are working at a profit, although subsidized by Government, and wherever possible, even in the matter of the administration and day to day working of the State Railways, it would be to their benefit if they adopted the system that is prevalent today on the company managed railways, or failing this go through the Insolvency Act and shut up shop.

Sir, there is far too much centralisation of railway administration, and yet, what did the Incheape Committee recommend? It
4 P.M. recommended the very opposite, *viz.*, that:

"Agents of Indian Railways should become General Managers and be made responsible for the administration, working and financial results of their Railways and should be free to conduct their undertakings on a commercial basis".

and that

"In a country like India with its vast territory and differing people and circumstances, it is an impossibility to control the detail of all the Railways from Delhi and Simla as at present."

There can be no greater condemnation of the present system than the speech of Sir Trevorlyn Wynne's speech at last year's Annual General Meeting of the Bengal Nagpur Railway held in London. Instead of acting on the Incheape recommendations, what has the Railway Board done? They have, in the course of the last few years, developed the Railway Board into an enormous bureau with Directors, Deputy Directors, and so on, for every department of railways, traffic, commercial, establishment, mechanical engineering, civil engineering and superintendents for each branch. I ask, why duplicate all this work in the Railway Board when every railway has its own respective traffic (transportation), traffic (commercial), civil and mechanical engineering, etc., officers, chiefs, deputy chiefs (in some cases three) besides the divisional heads. Thus, whereas the Incheape Committee desired decentralisation of railway work, the years that have followed have witnessed the gradual strengthening of the Central control, with the result that we have, today, duplication of the work that is performed by the divisional heads, by the chiefs and deputy chiefs at the

headquarters of the railways and triplication of the same work at the Railway Board by these directors and deputy directors. It is not fair to talk of deficit budgets and pretend to explore means of economy in administration when the Railway Board is culpably guilty of extravagance—of financial profligacy in their own staff. We have but to read the history of the Railway Board for the past 30 years—since 1905 and we shall see what a sad history it is, but I leave that part of it alone.

Let me come to the next factor one which I look upon as the most important in my speech. It deals with a very important aspect of railway policy, one that has been in operation for the past ten years. I refer to the recent effort to reduce and standardize the salaries of the staff. It is all very well for the Government in the Railway Board to say that they should cut their coat according to their cloth, but I should like to add it should be the object of the Government and of this House to see that that coat is well fitting and is not misfitting. At present, what do we find? I refer to the staff employed on the railways and their revised scales of salaries and which I would call starvation wages.

Let me divide them roughly into three categories, (1) menials, *i.e.*, those who receive from Rs. 10 to Rs. 15 per mensem irrespective of communities, (2) subordinates who receive from Rs. 30 to Rs. 400 per mensem and (3) officials who receive from Rs. 250 to Rs. 1,500 or Rs. 3,000 and more per mensem. I leave the officials alone, because all officials can, if they so desire, live even with their families on an initial salary of Rs. 250 per mensem. Let me first take the menial staff, and here I was very glad to hear what my friend, Dr. Ziauddin, said. I also feel that in what I am about to say I am whole-heartedly by the Federation of Railway Unions, and I think my friends, Mr. Giri and Mr. Joshi, who represent labour will also support me. In this connection, might I add that I agree that India, in its present state of economic depression and unemployment, can supply millions of illiterate workmen who can clean an engine and rub the brass plate and are glad to accept a wage from Rs. 10 to Rs. 15 per month, but let it not be forgotten that the policy of the railways today to have this, the "cleaner menial", as the bottom rung of railway service, at least in the Loco. Department. I do not suppose the Railway Member will deny that in accordance with his present scheme of recruitment the Loco. Foreman of the future has to start his life as a cleaner on Rs. 10 per mensem. I ask this House, can you conceive of a young man (*e.g.*, an Anglo-Indian) whose education cost him from Rs. 40 to Rs. 50 per month and whose minimum cost of living would be about Rs. 60 as a bachelor, starting life and existing on a salary of Rs. 10 to Rs. 15 per mensem—especially when I add that from that ill clad, ill-housed, ill-nourished lad who is possibly sowing the seeds of consumption in his constitution, alone will also be expected as a term pre-requisite to his employment on Railways, the duties of an efficient member of the Auxiliary Force, the second line of defence to the British Army. It is preposterous—it is impossible.

Then, there are the subordinates who start on Rs. 30 per month and receive an yearly increment of Rs. 3 rising up to Rs. 45, an efficiency bar, and then by a bi-annual increment of Rs. 5 up to Rs. 65 per month which salary is obtained after nine years' service. Can this House honestly say that an educated man, of any community, educated up to the matriculation standard or higher, which the minimum standard required for all departments, with a family, which he will undoubtedly have by the time he completes nine years' service, will be able adequately to feed, clothe and

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educate his children (especially with the high cost of education which obtains in Anglo-Indian schools), and in the case of the Hindus and others, maintain his family under the joint family system, especially if he is the only earning member of the family, on this meagre salary, which ranges from Rs. 30 to Rs. 65 in nine years? Sir, I submit that this is not only courting disaster and asking the impossible, but is contrary to the well recognised principles of honest and decent living, and it is against the policy of any civilised Government, whose duty it must be to raise the standard of living of the people under their governance. And yet the Railway Board asked the Federation of Railway Unions when they stressed this point for proof to show that these revised rates of pay are insufficient and should be improved. We have also heard the Honourable the Railway Member and other members of this House today asking us to cry a halt in labour legislation. Instead of a halt we need a rapid advance. Sir, I say, without fear of contradiction, that the Government of India by imposing these standardised low salaries are lowering the standard of living of its employees to the depths of degradation (Hear, hear), and I would seriously warn the Government that in its quest for economy, the more you reduce the salary, the bigger the temptation you offer to the workmen to indulge in bribery and corruption. Let us recall in this connection that the Posts and Telegraph Department today shows a record of honest work—the result of the payment of honest wages. Evidence of the dangers attendant on this low wage is forthcoming not only in the enormous increase in the detected cases of ticketless travelling during the past decade, for it is stated that, whereas, in 1925, such cases numbered 17½ lakhs, today it is 27 lakhs, but also in the loss of revenue due to under weighment of goods by dishonest staff. One would imagine that with the introduction of the crew system and other means which have recently been introduced, that it would have checked this encroachment on railway revenues. Instead of which, what has happened? The loss has steadily increased. The Honourable Member estimates the loss under this head at half a crore. I entirely differ. These refer only to the detected cases. But there must be hundreds of thousands of cases which have not been detected—cases of ticketless travelling under-charging of freight through under weighment, etc. There are also other forms of frauds which are perpetrated with the aid of the staff which have obviously not come to the knowledge of the Railway Board. But the sources of these frauds lie in the unwise policy of the Railway Administration in introducing the inconceivably low rates of revised pay. I ask how does any Government expect a man getting Rs. 30 per mensem under the revised rates of pay, who has got to do the same duties as a man receiving perhaps Rs. 100 per mensem now, by virtue of the accident of his having joined before 1931, to do his work honestly and efficiently? The intelligence which he possesses is naturally devoted to finding ways and means to make both ends meet and not to improving the revenue of his employers. This may not of course be true of all, but even the honest man will be in time forced to adopt these unorthodox and dishonest practices when he finds his progress by honest means in the service has been so slow as almost to exasperate him.

When the Labour Commission visited this country, all communities and grades of railway employees submitted petitions and memoranda and in all these representations all were agreed on one thing, viz., that salaries especially initial salaries should be proportioned according to the minimum

standard of living. Now, the Railway Board has taken no notice of this and in its recent reduced standardised wages, these memoranda and petitions have been ruthlessly thrown aside and the Railways have decided to give their Railway servants—subordinates in particular—wages on which they could not possibly exist much less live and develop, and in proof of this statement I would refer to a little table of facts which will rather astound the House. In the case of all first class railways, including the Jodhpur and Nizam's railways, we have the total revenues of Rs. 90 crores, with the working expenses as Rs. 64 crores. The expenditure on the staff (as my Honourable friend Mr Das has given) is Rs. 33 or 34 crores. Now let me try to show to this House that in that staff, which costs Rs. 34 crores, there are 1,888 officials employed, at a total cost of Rs. 3,12,00,000 per annum or one tenth of the total cost on the staff on railways. There is in addition a staff of nearly seven hundred thousand subordinates including menials which costs Rs. 31 crores per annum. This works out as follows: the average cost of salary of all officers is Rs. 16,000 a year or Rs. 1,300 a month, whereas the subordinate and menial staff costs Rs. 488 a year each or Rs. 40 a month; that is to say, the average pay of the subordinate staff is 3 per cent. of the average pay of the gazetted officer. Can this state be paralleled in any other railway in the world? And yet we have people on this side of the House and the Honourable Member crying for a halt to labour legislation. Sir, if from these figures there is one thing which is abundantly clear and if there is one warning we can give to the Railway Board, it is this, that if this policy of reduced salaries is continued, you will in time certainly save 3 crores in the salaries to your staff, but you will by inviting dishonesty and corruption lose many more crores of rupees in revenue.

I have no time to say anything more or to offer constructive criticism, but I do wish to place the very serious aspect of the matter before the Honourable Member in all seriousness and with all the emphasis at my command, not in a carping spirit of criticism but in a spirit of co-operation and advice and irrespective of any community. Let me repeat it: "Do not starve your railway employee by offering him a starvation wage, or you will starve and ruin yourself in doing so" (Loud applause.)

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I am sure, Honourable Members will recognise that, at the end of the day's discussion, it will not be possible for me to follow Honourable Members who have taken part in the discussion into the more detailed criticisms which they have offered on the railway budget. Sir, while I have listened to the debates, my feeling has been that if the shareholders of a Company, who had as much capital at stake as the railways in India have, had gathered together at a general meeting and had been discussing the balance-sheet for the last year, they would have been far bitterer perhaps in their criticisms, and would have exhibited far more irritation over the state of affairs than Honourable Members have done. I am, therefore, grateful to Honourable Members that, throughout the discussion, they have avoided any exhibition, either of bitterness or of irritation, and though they have, representing as they do such a variety of interests, sometimes expressed views which were contradictory of each other, they have made every possible effort to help me with suggestions which, in their view, might contribute towards a betterment of the position in which we find ourselves. They will also realise that when they stress the fact that a good many of their suggestions are not given effect to, the reason is not that the

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Administration looks unsympathetically at those suggestions; the reason is very often inherent in the situation itself. To begin with, all suggestions put forward cannot possibly be given effect to; as I have said, some are contradictory of each other. Again, even those, that are not contradictory of each other, are sometimes not capable of being given effect to, having regard to the vast system of railways in India, any drastic interference with which is likely more to upset things than to reform them. I wish, Sir, in making a few observations at this stage, on the various criticisms that have been put forward, to offer a few general remarks, relating to the general criticisms of those matters that were mentioned in my speech, and, in the course of these observations, I should like to clear up one or two misapprehensions that appear to have arisen in the minds of some Honourable Members, though I do not imagine that the House generally is under any of those misapprehensions.

Now, Sir, it has been said: "You have said in your speech that you propose to raise freights and fares, but in doing so you must not overlook the law of diminishing returns, lest you should, in the end, be disappointed and you should take care not to injure the more vital interests of the country, and, in trying to secure a little additional income to the railways, cause more harm than the gain that might result from it." Well, Sir, so far as that is concerned, may I draw the attention of Honourable Members to the fact that we have had that in view—both these aspects—already. As a matter of fact, I did say in my speech:

"As a result of the examination of their tariffs undertaken by the Railway Administrations, it was found that there was no great scope for an increase in freights without risk of undue hardship to trade or further reduction in earnings."

So, both those factors were taken into consideration and that was the result arrived at. No doubt I went on to say:

"Nevertheless, Railway Administrations are taking steps to make small increases in their freights where these are possible without involving a risk of one or other of the contingencies to which I have referred."

In considering that question, I am sure, the Railway Administrations will keep both these considerations in view.

Sir Ghulam Hussain Hidayatallah: Has not the North Western Railway raised the freights on wheat?

The Honourable Sir Muhammad Zafrullah Khan: I made a note of the Honourable Member's criticism, and I am coming to that presently. Then, with regard to two of the factors to which I referred, during the course of my speech, introducing the railway budget, there is a likelihood of some misapprehension to which expression was given in passing by one or two Honourable Members. Those were my references to world depression and more particularly to the policy of self-sufficiency and the development of internal trade and production in the country. Now, I am quite sure that I tried to take care that I should not be misunderstood on that point. I wish to avail myself of this opportunity to make my position clearer with regard to that matter. One Honourable Member observed that while putting forth the reasons of the decrease in railway earnings, I forgot my position as Commerce Member. I certainly

did nothing of the sort, and I do not think there is anything in my speech to suggest that I have in any way condemned that policy or the continuance of that policy—or said anything to show that I would wish to see that policy altered. I was merely detailing one of the reasons which have reacted upon the railways without saying that I desired that that should in any way be altered. As a matter of fact, I was careful enough to point out that we were all hoping that, if as a result of that policy, as we expect there was a general increase in prosperity, railways shall get their due share of it. I hope, Sir, there would be no misunderstanding on that point. With regard to the co-ordination of road and rail transport, some Honourable Members observed that in making reference of these matters as well as to ticketless travellers and underweighting and mis-declaration of goods, I have merely tried to lay the blame on other shoulders. It was not in that spirit that I put forward those suggestions. With regard to motor transport and the competition that the railways have been experiencing from that kind of transport, I realise fully that even if the railways desired it—and there is no desire of that kind on the part of the railways—this competition has come to stay (Hear, hear), and, in the fact of that competition, there is nothing inherently to be sorry about either on behalf of the railways or generally on behalf of the country. (Hear, hear.) Railways do not desire to see that kind of competition eliminated; what they desire to see is that it should be put on a fair basis, and I shall presently explain what that desire amounts to. As I have said, this form of transport has come to stay and this form of transport serves many purposes which the railways would not be able to serve if it went out of use altogether. But it will be recognised that this form of transport is not subject to many of the restrictions and controls imposed in the interests of the users of the railways which ought certainly to be applied to this form of transport also. For instance, with regard to safety regulations, there is no kind of control over the road bus, and though there are regulations with regard to the number of passengers or the quantity of goods that a particular class of bus might carry, yet there is great laxity in the enforcement of these regulations.

An Honourable Member: The regulations are too severely enforced in the case of the bus. There is too much police interference.

The Honourable Sir Muhammad Zafrullah Khan: I will not, whatever the true reason may be, merely in order to show that the railways are at a disadvantage in this matter, throw the blame on some other department of Government. But I do submit that whatever the nature of those regulations, the enforcement of those regulations is extremely lax. With regard to this and similar matters, railways desire that there should be co-ordination of policy between the Central and the Provincial Governments. The Provincial Governments are doing whatever they have so far found feasible to help towards such co-ordination being put into practice. But as I have indicated in my speech, further steps will certainly be necessary if motor transport is to be put on a fair competitive basis with railways. It was said: "Well, there were the roads already and who has brought in motor competition? The richer people who started using the roads for that purpose". But, as I have said, the complaint is not that the roads are being used; the roads being there must be used, and wherever there is further necessity of other areas being opened up.

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by means of roads, I have not the slightest doubt that Provincial Governments will do whatever is necessary in that direction. The real need is that whatever form of transport is available should be directed to the service of those areas where it would yield the maximum of return and also yield the maximum of service with regard to passengers as well as with regard to goods. That is the sort of co-ordination that the railways desire. If, inspite of such co-ordination, inspite of motor transport being placed on a fair competitive basis with railways, the railways continue to give way to road transport, the problem will have assumed a much bigger form and the time will have come to consider whether it was necessary to continue railway transport at all. If the railways were to put forward the case that they could not make both ends meet without a degree of control which would prohibit this kind of competition altogether, I think, the stage would have been reached when the railways would have to be scrapped.

Again, with regard to ticketless travel, it has been said why blame the ticketless traveller, why try to vent your anger against him. Well, Sir, it is no question of venting one's anger or one's irritation against the ticketless traveller. There is an appreciable amount of leakage of railway revenues in this manner, a kind of leakage of revenue to which motor transport is not subject. It is not a case of co-ordination of railway and road transport, but, there being such an evil in existence the railways must do all that is necessary to put an end to. I have explained in my speech that for a long number of years, this evil has affected the income of railways, and Government have been reluctant to introduce legislation for the reason that they wanted other remedies tried before stricter legislation was introduced to check this evil. Various Honourable Members have suggested that while we might try, we would not be able to eradicate this evil altogether or even to a considerable degree. I myself do not think that this evil could be eradicated altogether in the sense that a day will arrive when not a single person will travel on the railways without a ticket. Human nature being what it is, I am afraid that it is too high a standard to expect of it. But I do believe that, with a stricter measure of control, the leakage will not be as great as it is today, and I was careful enough to say in my speech that this kind of legislation should be given effect to and these powers should be given to the railways if the railways are to be safeguarded against the greater portion of this loss. The railways themselves do not expect that with any kind of legislation, this evil will be eradicated altogether; but, most certainly, by strengthening legislation on this point, we expect,—and I think our expectations are justified,—that to a very large degree it will be checked. Now, what will be the addition to railway revenues nobody can say; but one of two results is bound to follow. Either the persons who now travel without a ticket or the greater number of them, as I have said, will make a fair contribution towards railway revenues or they will stop this practice; and, in either case, it is to the benefit of the *bona fide* user of railways and of the taxpayer. In the first instance, the railways will gain revenue; in the second instance, there will be slightly less overcrowding than there is at present in certain classes of carriages. But apart from that altogether, I did hope that Honourable Members learning the extent of the evil,—and I am not now speaking as Railway Member only—would have realised that no country should tolerate an evil of this kind continuing in its midst.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): But there are so many evils in this country, including your Government!

The Honourable Sir Muhammad Zafrullah Khan: That is a very cheap kind of argument, if the Honourable Member will forgive my saying so, that, because there are so many evils, you should not attempt to regulate or check any of them.

Again, reference was made to corruption among railway servants, and it was said: "Oh, here is the Railway Member; he can see the mote in other people's eyes, but not the beam in his own. He tries to lay the blame upon the commercial community or upon the public, but does not realise to what extent corruption is rampant among railway servants". There, again, I do not think that Honourable Members who took up that line were being fair to me. I have nowhere taken up the attitude that, if there is corruption among railway employees, it is the fault of the public, and, therefore, the public alone are to blame. As a matter of fact, dealing with this matter, again, I was careful enough to say that cases of underweighting and misdeclaration of goods were due either to the negligence or to the fraud of railway employees. I would have been unfair and would have given an incomplete picture if I had not gone on to say that these frauds cannot be carried through successfully without the participation of the consignor or of his agent. But I do realise that the main responsibility and the prime responsibility is that of the railway employee. It is no pleasure to me as an Indian either to say that it is the commercial community who are more dishonest than the railway employee or to say that the railway employee of the subordinate class is more dishonest than members of the commercial community. Either way, it is a painful confession to have to make, and all that I did was to make an appeal to Honourable Members that they,—and the appeal was addressed through them to the members of the public,—might co-operate with the Railway Department, and to what effect? To the end that such cases of dishonesty on the part of the railway employee might be brought to the notice of the Railway Department, so that, where a case can be established, disciplinary action might be taken against the railway employee. And that, Sir, I take the opportunity of making perfectly plain to the House, is my attitude towards corruption. I do not deny that allegations are made on such a vast scale with regard to this and similar matters that there must be a considerable substratum of truth underneath them. That being so, I shall be at all times prepared to take drastic action if the case concerns me, and to direct that drastic action should be taken by the administrations concerned, where the case concerns them, provided the case is brought home to the particular person who is charged with any form of dishonesty. For, between a general evil and the punishment of the particular evil doer we must draw a distinction. We cannot punish a man unless his offence is brought home to him, simply because there happens to be an evil on a general scale.

Mr. S. Satyamurti: Hear, hear; tell that to the Home Member.

The Honourable Sir Muhammad Zafrullah Khan: And, therefore, though at all times, as I have said, we are prepared to put those powers in motion, we shall have to require in each case as much proof in the case of an allegation of this kind as would be required in the case of any

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other kind of allegation which may be the subject of proof or investigation. And, here, again, Sir, with regard to the mote in other people's eyes and the beam in my own, may I remind such Honourable Members who took up that line, that I have not been neglectful of these matters even before I read out my speech introducing the railway budget. As to this matter, I observed in the Railway Conference Association held at Simla last October,—addressing the Agents—as follows:

"The checking and control of your own staff, however, is a matter entirely within your own powers, and I shall be glad to see those powers more frequently, more strictly, and more effectively exercised."

Mr. S. Satyamurti: Is there any improvement since then?

The Honourable Sir Muhammad Zafrullah Khan: A certain amount of check has been introduced, as I said in my speech, and, I am informed that there has been some improvement. But I must put in another word of caution. It has been my experience, during the few months that I have been in charge of this department, that where these powers are sought to be used and railways do discover that a case has been established against a particular employee, the moment he is touched, there is such an outcry against the man being punished that one does not know what to do,—yield to the pressure that one should deal leniently with the culprit or give full play to one's determination to eradicate corruption.

Then, Sir, it was said: "You pay no attention to providing amenities for third class passengers; you do not seek to give them any help when they are using the railways and you go and lay the blame upon other factors when you are discussing the fall in railway earnings". Again, I hope the House will indulge me for a moment if I draw its attention to another extract from the speech to which I have already referred. I said, addressing the Agents:

"May I, at this stage, be permitted to make a brief reference to some of the questions which are related to the very serious fall in railway earnings which we have been experiencing during the last few years. I have no doubt that these problems are receiving your constant attention and I need only emphasise the necessity of continued vigilance in this connection. The situation must be kept under constant review and every opportunity of attracting traffic and increasing earnings must be seized and utilized to the full. Railways have, in recent years, had to face severe competition from motor transport with regard to goods as well as passenger traffic in many parts of the country. I am afraid there are no prospects of this competition slackening in any future that I can foresee. All the indications point to a contrary direction. The Railways must face the position squarely and devise means to meet it. It is for Railways to consider whether it is not possible for them to bring home their services, at least so far as the goods traffic is concerned, to the people in the same manner as motor transport concerns do. As regards passengers of the class who are acquiring the habit of using motor transport, would not Railways consider the advisability of impressing upon their subordinate staff the need of greater courtesy towards and greater attention to the comfort and convenience of that class of passenger. At present I am afraid that class of passenger contemplates a railway journey with a certain amount of dread and fear and regards it in the nature of a tribulation. I see no reason whatsoever why that should continue to be so."

May I, here, again, be permitted to remark, Sir, that in the cuttings which are circulated to the different departments in connection with the subjects, of which they are in charge, by the Information Bureau, I noticed that the only paper that said that I had overdrawn the picture in this respect was an Indian-owned paper.

Mr. S. Satyamurti: Namely?

The Honourable Sir Muhammad Zafrullah Khan: I did not note down the name of the paper, but I can assure the Honourable Member that I took pains to note what kind of paper it was. While I am on this subject, Sir, I may perhaps refer to one habit that I have formed, namely, that whenever I have the opportunity of travelling and can spare a few minutes from my other duties, I always take care to look into matters connected with the comfort and convenience of third class passengers. (Applause.)

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): You travel *incognito*?

The Honourable Sir Muhammad Zafrullah Khan: At any rate, I do it in such a manner that it does not lead anybody to suspect that it is the Railway Member who is prowling about and looking at things. I do not expect that this will bring about an immediate revolution, but it will at any rate keep me informed, though I may say that I was not entirely uninformed in these matters when I took over charge of this Department, with regard at least to the more serious inconveniences from which the third class passengers suffer. But, as I have said on other occasions, and I am afraid I must say on this, improvements in these matters must be gradual, both having regard to the financial implications involved and also to the fact that a huge system cannot be improved or reformed overnight.

Take the question of the proposed new third class carriages. I am informed that the improvements proposed to be incorporated in this class of carriage—whether they will or will not have the approval of Honourable Members who are members of the Central Advisory Council I cannot say—these improvements are likely to cost, in respect of each of those carriages, Rs. 5,500 over and above the present cost of a third class carriage.

Now, Sir, at this stage, lest I should be charged by Honourable Members with not paying any attention to the specific criticisms that they have put forward, I might attempt to answer them in the order in which they spoke. Sir Muhammad Yamin Khan criticised our estimates for the next year by saying that we should have based our estimates of earnings on the actuals of the current year, and should not have increased them by a crore and a quarter. In effect, Sir, that is what we have done. We have not based our estimates on any higher traffic than we had during 1934-35. The main increase in income we expect is from this revision of rates and fares, to which I have already made reference, a small thing here and a small thing there, subject, of course, to the particular criticism . . .

Dr. Ziauddin Ahmad: Did the Honourable gentleman note down the fact that when rates and fares were increased two years ago, there was actually a fall in revenue?

The Honourable Sir Muhammad Zafrullah Khan: I have already said that it was impressed upon Agents that they should carry out this examination in such a manner as to keep in view two factors; one, that rates and fares should not be raised where the raising of them, from past experience, was likely to bring about a still further reduction in the income,

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and second, that such increase should not injure trade interests. I have said that already. I cannot say at present what the result will be, but every possible precaution is being taken, and we hope that the result will be that we might be able to add a crore and a quarter to our revenues without injuring trade interests. He then said: "Why is this increase of half a crore in the expenditure?" Again, Sir, I am very much afraid that the Honourable Member did not study that part of my speech where this was explained. I did explain that although on paper the increase in working expenses was shown as half a crore, in reality it was only Rs. 28 lakhs. The difference was due to this: Rs. 9 lakhs is due to the restoration of the cut in salaries. During the current year, we have had to pay full salaries of railway servants only for eleven months. It is obvious that as the restoration started from the 1st April and as the salaries for March of last year had to be paid during the current year, those were paid subject to the cut; as we shall have to pay full salaries for all the twelve months during the next year, there is one month's difference between the two, and nine lakhs are accounted for by that. Rs. 12½ lakhs are accounted for by this: the current year's working expenses would have been shown as being Rs. 12½ lakhs more than they have been shown at present if a particular item, which should have been debited to the working expenses of the current year, had not been debited to the working expenses of last year, inasmuch as it was incurred last year in advance. So that, the real difference is Rs. 28½ lakhs, and this is accounted for by two factors:

- (1) the effect of the increments in salaries in due course, and
- (2) during certain years, owing to the state of our finances, with which Honourable Members are now familiar, repairs and maintenance were cut down to the absolute minimum. It is now felt that certain classes of repairs and maintenance must be restored if efficiency has to be maintained, more particularly repairs to wagons, and, therefore, extra expenses will have to be incurred.

Mr. Das charged me with having, in my speech, been too optimistic. Sir, whatever other charges I might have expected during the course of this debate or the course of the debates on the demands through the next week, I certainly did not expect that anybody would deduce from my speech that I had put forward the next year's budget in too optimistic a spirit.

Lieut.-Colonel Sir Henry Gidney: Do not take notice about that.

The Honourable Sir Muhammad Zafrullah Khan: His main criticism divided itself into two parts: one was—as a matter of fact, both of them resolved themselves into one at the end—that the salaries of high officials should be cut down, and the other was that tinkering with these things would not do, but that we must have a super-expert from outside to look into these matters. I think he wound up by saying that the super-expert was required to advise us to cut down high salaries. Sir, we do not stand in need of asking a super-expert to come and give us that advice, Mr. Das has given it to us himself. With regard to salaries, Honourable Members are aware that new scales of salaries have recently been introduced on the railways.

Mr. S. Satyamurti: For new entrants. It will have effect, 30 years hence.

The Honourable Sir Muhammad Zafrullah Khan: Since 1931. In these new scales, the reduction is greater in the case of comparatively highly paid officers than it is in the case of the comparatively lower class of employees, and that is as it should be—I am not taking any credit for that—there is far less margin for that kind of restriction and reduction in the case of those paid on a low scale than in the case of people who are paid on a comparatively high scale. To that extent, this demand is being met. To the more revolutionary suggestion that we should take the axe and cut down whatever you do not like, I am afraid I cannot give a sympathetic reply, because, I believe this matter was stressed by Mr. Shamlal. That raises a very big issue of a constitutional and political character which, as Railway Member, I have no authority to deal with.

With regard to the observations of Sir Leslie Hudson, I am very grateful to him for certain constructive suggestions that he has put forward. He said that Agents should have greater liberty of action in dealing with certain classes of cases and that there was too much interference in detail by the Railway Board. I am afraid, he cannot blame the Railway Board much after sitting in this House during question hour from day to day. Take only one instance. I shall not specify the particular matter for obvious reasons, but, I am sure, Honourable Members will take it from me that with regard to one decision as to certain allowances to be paid certain classes of railway employees—and I do not think that on any particular railway the number of persons affected by that order would be more than, say, 40 or 50—the Railway Department have already replied to over 400 questions in this House, every one of those questions seeking to argue the case with the department and trying to convince the department that their decision is wrong and that these allowances should have been continued to be paid. Now, I am not saying that every decision taken in a particular department must be absolutely right and cannot possibly be wrong. Even assuming that this particular decision is, from some point of view, not as satisfactory as Honourable Members would have wished, is it fair that that matter should have been tried to be argued through questions in that manner? And, there is no end to the questions yet. Only during this week I have had to deal with another batch of, I think, 15 or 20 questions, each occupying half a printed page relating to the same matter. Therefore, you cannot blame the Railway Board or even the Railway Member if he has to look into these matters when they are brought to his attention over and over again.

Then, Sir Leslie Hudson stressed the need of looking into the tendency towards over-capitalisation of railways and the revision of the convention governing the separation of railway finances from general finances, and the need of an inquiry being held into these matters. He promised us that, during the discussion on the demands next week, he will be able to elaborate some of his suggestions. When he is doing that, I hope he will be able to tell us in some greater detail than he was able owing to restriction of time today, as to what exactly he means by the tendency towards over-capitalisation. Does he mean charging certain items or certain kinds of expenditure to capital account, when they should really be charged to working expenses, or does he mean reducing the capital at charge of railways by a stroke of the pen as it were and thus reducing the interest charges? In the former case it would be

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amount to a change in the method of accounting and in the latter it would amount to saying "inasmuch as the railways cannot meet their interest charges, the capital at charge should be reduced". I am almost certain that he means the former, but I should like to know the details. I may, however, say this: that these and other questions involving cognate matters must be faced and decided during the course of the next year or so before the administration of the railways is handed over to the Federal Railway Authority, inasmuch as Government have to come to some settlement with the authority with regard to the capital at charge; and I have no doubt that these matters will have to be decided one way or the other.

With regard to another matter that was raised by Sir Leslie Hudson, that the wagon building industry in the country would find it convenient if the railways were able to spread out their programme of wagon requirements in such a way as to give some sort of assurance to the industry as to the orders that might be placed in the country, I would say this: if the railways could look forward to a period of uniform expansion with regard to their traffic requirements, that kind of thing might be possible. But Honourable Members are fully aware that there have been such fluctuations recently with regard to the different kinds of traffic offering to the railways that, even if the railways had given that kind of assurance to the industry, they could not have kept to that assurance, which would have been far more upsetting to the industry than the present position is. But I do assure him and others, who are interested, that the moment we get to a state of affairs when we can, with any reasonable amount of certainty, form an estimate of that kind, the industry would be given the benefit of such an estimate.

I find, Sir, from the clock that I must hurry through the remaining matters if I am to finish the observations that I intend to make. Sardar Mangal Singh started off by saying that the railways were exploiting the country by discouraging exports and encouraging imports. There has been criticism from other quarters of the House that the railways encourage long lead traffic both with regard to exports and imports and do not encourage internal traffic. Whatever the exact criticism may be, his particular grievance was that movements of goods with regard to foreign imports were encouraged as against internal movements, and he cited the instance of the freights charged for cotton and piece-goods between Amritsar and Bombay. To begin with, I might correct him by saying that though there is no material difference, still the rate charged upon cotton, say, between Amritsar and Bombay, is slightly less than the rate charged upon piece-goods; but that is not my real reply: my real reply is that his particular criticism is unfounded for the reason that piece-goods that move from Bombay to Amritsar consist both of piece-goods from Lancashire and piece-goods from Bombay itself, and a very large volume of the latter; and, if there is any discrimination, both get the benefit of it. It is not as if traffic entering through the ports, as is the case in certain other countries, gets preference as against traffic coming from the same town, but which does not come from outside the country. If there is any impression that that is so, that must disappear. If I had the time, I would have read out paragraph 151 at page 50 of Volume

to it—where they say that though a good many countries resort to this last kind of thing, that I have indicated, India does not practise that kind of discrimination in favour of imports.

I need not say anything further with regard to the ticketless traveller—a question which he also has raised; he said it was mostly military people who, not knowing the regulations with regard to their passes, mistook the passes for tickets and travelled without tickets. That is not so. The figures I gave in my speech do not include that kind of traveller at all. Then, he said, the rest are mostly beggars. I say, even if we could keep out these beggars, it would mean so much more room for the traveller who pays for his journey than is at present available to him. But I do want to say with regard to this subject, without entering into the details of the legislation proposed, that there is no desire in any way either to interrupt the journey of, much less to prosecute, the passenger who is willing to pay and does pay the fare and the penalty leviable: and, while I am on that subject, may I make a very brief reference to the amount that Mr. Sri Prakasa complained was charged from him when he was travelling from Etawah to Aligarh? The rules are that the penalty is to be in no case in excess of the fare that is due: he should not, therefore, have been charged more than Rs. 5. If that particular guard or ticket collector charged him Rs. 8, he certainly was being dishonest, and I much regret that Mr. Sri Prakasa did not bring his case to the notice of the authorities, because, then, he would have had written evidence in his possession that this man had overcharged him and had done so deliberately.

Now, Sir, with regard to the observations made by my friend, 5 P.M. Dr. Ziauddin Ahmad. He said, there was some discrepancy between the position that I put forward here that there was expected to be a deficit of 4½ crores and that put forward by Sir Guthrie Russell in the other House that the railways would even this year have paid a dividend had they been a shareholders' concern. There is really no discrepancy at all. It is a different way of looking at the same thing. Roughly speaking, without looking into decimals, the position this year is that, after meeting all charges for working expenses, depreciation, etc., we have 27 crores to meet our interest charges, whereas our interest at the rate at which we have to pay it comes to between 31 and 32 crores. If the whole of the capital of the railways had been subscribed by shareholders instead of having been borrowed, then the shareholders would have received this year a dividend of 3·40 per cent. instead of 3·75 per cent. in the way of interest which we have got to pay. . . .

Mr. S. Satyamurti: How is this relevant? You have got borrowed capital, and you must pay interest.

The Honourable Sir Muhammad Zafrullah Khan: I am trying to point out that there was no discrepancy of the kind mentioned by my friend, Dr. Ziauddin Ahmad. No doubt, there is a dividend, but the dividend is not in accordance with the prevailing rates of interest, and, therefore, there is a deficit, and you cannot get away from that position.

Then, there were four suggestions made by Dr. Ziauddin Ahmad. One was that the rate of depreciation was high, and that ought to be looked into. I assure my friend that that is a matter which will be looked into.

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The second matter which he referred to, and that was also mentioned by several other Honourable Members, was that the deficit of two crores on strategic lines should be accounted for not in the railway budget, but in the defence budget. Now, Sir, without entering into the merits or demerits of this suggestion, I will say this, that whatever the more appropriate accounting method of this item may be, when you come to the question of a deficit, the fact remains that the figures are correct, that the earnings are so much, that the depreciation is so much, the interest charges are so much, and that the two ends do not meet. You might console yourself as I could have consoled myself by saying that the deficit is only $1\frac{1}{2}$ crores and not more, yet I could not have run away from the fact that the earnings are there and the expenses are there, and, though the deficit on paper would be less, the burden on the taxpayer would not be less by one anna, whether this particular item was borne on the railway estimates or on the defence estimates.

Then, with regard to the reduced rate of interest, which was the fourth suggestion made by my friend, Dr. Ziauddin Ahmad, I have already explained, in the course of my speech, that we are getting the benefit of the reduced rate of interest, for instance, this year we have had this benefit to the extent of nearly half a crore of rupees, and we are expecting further benefits from 25 lakhs to 50 lakhs, at a progressive rate during the next few years.

Dr. Ziauddin Ahmad: What about the amalgamation policy?

The Honourable Sir Muhammad Zafrullah Khan: With regard to the policy of amalgamation, in order to reduce overhead charges, I have indicated my views to a certain extent in the course of the debate on the Resolution relating to the acquisition of the Bengal and North Western Railway and the Madras and Southern Mahratta Railway. It depends upon the acquisition of Company-managed railways. It is a method of effecting economy that Government have in view, but whether those economies would be as large as the Honourable Member visualises I cannot say; that depends upon the cost of acquisition of Company-managed railways. One matter that we must be careful about is to see what we do not saddle the railways with more liabilities than the savings we expect to make.

Then, Sir, I promised my friend, Sir Ghulam Hussain Hidayatallah, that I shall say something with regard to Sind. It is true that wheat freights to Karachi within four hundred miles from Karachi have been slightly raised recently. But the position is this. There has been a heavy replacement of Punjab wheat by Sind wheat for Karachi, and the North Western Railway administration finds that, in order to maintain some sort of a balance between the two provinces, and not to penalise Sind by any means whatsoever, a slight increase would not be unjustified. Let me give my friend a few figures from which he will be able to judge the position for himself, and the House also will be able to judge whether it is really a penalty. At present the rate from Okara, a place in the Montgomery district, on the line from Lahore to Karachi, is Rs. 0-11-6 per maund. The rate, say, from Nawabshah to Karachi, I mean the increased rate to which the Honourable Member has referred, will be Rs. 0-6-8,—a difference still of over five annas between the two rates as between Punjab wheat

and Sind wheat. Again, take the case of Larkhana, with regard to which the comparison would be more unfavourable to Sind, even in the case of Larkhana, the difference in favour of Sind is appreciable. The present rate is Rs. 0-7-8, the proposed rate is Rs. 0-8-11, as compared with the rate of Rs. 0-11-6 per maund from Okara to Karachi. So it cannot be said that Sind is being penalised.

Mr. Lalchand Navalrai (Sind: Non-Muhamnadan Rural): Has the longer distance been taken into account?

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Sir Ghulam Hussain Hidayatallah: Has not Punjab wheat been diverted by other railways on account of their reduction in rates?

The Honourable Sir Muhammad Zafrullah Khan: With regard to that matter, I would draw the attention of my Honourable friend to that portion of my speech where I said that it is possible, that, in course of time, Punjab wheat will be excluded altogether from Karachi and Sind wheat will take its place, and we are hoping that Punjab wheat might be diverted,—it would be a good thing if it were diverted,—to other provinces like the United Provinces, Bihar and Orissa and even to the south of India.

Sir Ghulam Hussain Hidayatallah: Provided the rate is not competitive.

The Honourable Sir Muhammad Zafrullah Khan: Then, Mr. Avinashilingam Chettiar said that the deficit was much more than had been disclosed, because no provision had been made for amortisation of capital and there had been no contribution to Central Revenues. If he means really that the fall in income has been greater than the deficit that has been shown, he is perfectly right, because, before the depression set in, the railways were not only able to meet their working expenses, but also to make a contribution to the reserve fund and to Central Revenues. If he means that the deficit is really much greater than has been shown and that I have camouflaged the deficit, that is not correct. The deficit, the amount by which we fall short of the payment of full interest on our capital at charge, is what I have disclosed in my speech.

With his main suggestion which he put forward against my "little lectures" as he described them, namely, drastic reduction in the pay of the higher officials, I have already dealt.

My friend, Mr. Shamlal's speech was directed towards constitutional and political issues into the discussion of which, I am afraid, I cannot here enter but I would like to make one observation. He said, the railways were being run at a loss as they were being used as an instrument of Imperialism. Does he mean that they had become an instrument of Imperialism since 1929-30? And how would he explain the fact that the U. S. A. railways were being run at a much greater loss than Indian railways? There were, however, one or two small matters that he had mentioned. He said that the arrival and departure of trains at Delhi station had been arranged in such a way that European drivers and guards may have their dinner in proper time. I do assure him that that is not the consideration at all. The consideration is that between Delhi and other big stations like Lahore, Peshawar, Cawnpore, Allahabad, Calcutta and Bombay services should be so arranged that the passengers should find the

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timings for departure and arrival at these places convenient. He also said that there was considerable overcrowding by railway employees who travel on passes. I am looking into that question, but I may remind him of the rule that is already in existence that a railway servant travelling on a pass must at the starting station make room for one who travels on a ticket.

An Honourable Member: He never does so.

The Honourable Sir Muhammad Zafrullah Khan: The rule is that a railway servant travelling on a pass must make room for those who pay for the journey, and if he does not do so, he stands in the same category as any other employee who disobeys a rule, and I am sure, if any specific cases are brought to the notice of the administration, they will be looked into.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Should the passenger be asked by another passenger whether he has got a pass or a ticket?

The Honourable Sir Muhammad Zafrullah Khan: If a particular person, whether in the employ of the railway or otherwise, will not obey the rules or the law, I am prepared to put into force any reasonable suggestion that may be made to me in this regard. I may also inform Honourable Members that the number of passes has been considerably curtailed recently.

An Honourable Member: Put separate compartments for them.

The Honourable Sir Muhammad Zafrullah Khan: Then, my Honourable friend, Mr. Lahiri Chaudhury, had a suggestion to make with regard to strategic lines, and I doubt whether it will appeal to other Honourable Members who have been talking of the deficit on the working of strategic lines, and it was this. He said: "Why don't you do the same thing as the Railway Mail Service do? Why don't you ask them to make a contribution? Your deficit is Rs. 2 crores. Why don't you ask the military people to pay a crore or 50 lakhs towards this deficit?" That merely means that, instead of putting the whole of this Rs. 2 crores on to their budget, you merely put a portion of it to their budget and carry the rest yourself. That is neither one thing, nor the other.

I have dealt with most of the things that Mr. Sri Prakasa has said, except that he said that in Russia there was no deficit. I am afraid I am not sufficiently conversant with conditions in Russia to be able to say whether there are or there are not deficits in that country. But, so far as consideration for human feelings is concerned, if that enters into the factor at all, I am perfectly certain that there are great deficits in that respect.

Mr. Sri Prakasa: Why do you charge penalty?

The Honourable Sir Muhammad Zafrullah Khan: I am told by my Honourable colleague, the Finance Member, that in Russia they have no system of accounting, and that is one way of escaping deficits!

My Honourable friend, Maulana Shaukat Ali, has suggested a cut in salaries, with which I have already dealt. I am glad to learn from Mr. Muhammad Nauman that the depression is at an end. I am extremely happy to hear it, and, if that is so, I am sure, that will be reflected in the railway earnings very soon.

Mr. Sri Prakasa: What about my suggestion that no penalty should be charged?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid it would considerably increase ticketless travel. Nobody, then, need buy a ticket; if they are not caught, well and good; if they are, they can always pay the price of the ticket!

Mr. Sri Prakasa: Does that happen in other countries also?

The Honourable Sir Muhammad Zafrullah Khan: With regard to Sardar Mangal Singh's suggestion that there was inter-railway competition, he gave the specific instance of the carriage of coal from Jharia to Baroda. The Railway Board are already looking into these matters and making adjustments in the sense indicated by Sardar Mangal Singh. These are complicated matters, some of which have been straightened out, and the others will be straightened out in the course of the next few years.

An Honourable Member: What about Colonel Gidney's speech?

The Honourable Sir Muhammad Zafrullah Khan: I welcome Sir Henry Gidney's speech in the sense that he said that the administration of railways should not at all bend to political pressure of any kind. I am sure, all sides of this House agree to that. The rest of his speech dealt with other matters, and if I wanted to play off one side of the House against the other, I could say that he has made suggestions which some other Honourable Members have said are not at all feasible.

Sir, I was about to conclude with two general assurances. One was that I have been asked that we must have regard to the welfare of internal trade and of agriculture all the time. (Interruption by Sir Ghulam Hussain Hidayatallah). Opinions might differ on specific matters, but I do want to assure the House that I yield to none in my anxiety with regard to both these matters, and that the railways, so far as they can help, should come forward to help both with regard to the fostering of internal trade and also safeguarding the interests of agriculture. With regard to the latter, I think those Honourable Members, who know me, will be quite sure that that would be a matter of almost personal anxiety to me.

With regard to another matter that was referred to, I desire to make one observation. It was said that, instead of looking at the situation squarely in the face,—I had said: "Well, other countries are doing far worse than we, and what is the bother about?" I certainly did not attempt a comparison with conditions in other countries in that spirit. All that I meant was that, though I had given a very dark picture of our finances and our responsibility was to see that our railways did not run at a deficit, one matter to be kept in mind was that there were in operation in the world certain factors affecting the whole world, which affected the railway systems in other countries and which also affected us. But it was not

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I once again say that the Railway Department are certainly not unsympathetic towards the suggestions made or impervious to them. May I inform Honourable Members that I propose to do, during the course of the next year, what was done in the course of last year. Any suggestions that are put forward either today or during the debates in the course of the next week will be classified, will be looked into and . . . (*An Honourable Member*: "Shelved") . . no, no; and, as many of them as can be put into practice will be put into practice provided they are conducive towards the achievement of the object which all sides of the House have in view, that is, a sound financial position for railways. But may I also say that there are very few things that can be put into operation within the space of one year. A good deal of examination has to be carried out, and if, after that examination, certain conclusions emerge, they might emerge much later than a year, but all help that these suggestions are capable of yielding will be extracted and utilised.

Sir, I once more thank the House for the patient hearing they have given me. (Loud and Prolonged Applause.)

The Assembly then adjourned till Eleven of the Clock on Thursday, the 20th February, 1936.

LEGISLATIVE ASSEMBLY.

Thursday, 20th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

REFERENCE IN CONNECTION WITH PANDIT JAWAHARLAL'S ACTIVITIES IN THE BENGAL ADMINISTRATION REPORT.

689. ***Se'h Govind Das:** Will Government be pleased to state:

- (a) whether their attention has been drawn to the controversy, an account of which appeared in the Indian and English Press and also to the questions asked and answers given in the House of Commons with regard to the reference made in the Bengal Government's Administration Report for 1934-35, in connection with Pandit Jawaharlal's political activities in Bengal;
- (b) whether Government are aware of the repudiation made by Pandit Jawaharlal in the *Manchester Guardian*;
- (c) whether Government had any correspondence with the Bengal Government to substantiate the reference so made in their Administration Report;
- (d) whether the Government of Bengal are going to do so;
- (e) in the event of their not being able to do so, whether the Government of Bengal will be prevailed upon to express regret over the error;
- (f) whether Government had any correspondence over the matter with Whitehall;
- (g) if the answer to part (f) be in the affirmative, whether Government are prepared to lay on the table a copy of the entire correspondence they had with the Government of Bengal along with that which they had with Whitehall; and
- (h) if the reply to part (g) be in the negative, the reasons therefor?

The Honourable Sir Henry Craik: (a) and (b). Yes.

(c) to (h). The Honourable Member's attention is invited to the statement published by the Government of Bengal on January the 8th which has been communicated to the Secretary of State. There was correspondence between the Government of India, the Government of Bengal and the Secretary of State, but I am not prepared to lay it on the table.

The Honourable Sir Henry Craik. That is a matter of opinion.

Seth Govind Das Are Government aware that with such a regret, as the Government of Bengal expressed, the nationalist press of India and the nationalist people of India are not satisfied?

The Honourable Sir Henry Craik: No, Sir.

Seth Govind Das: Are Government going to issue a notification to the effect that the statement made in the report should be deleted?

The Honourable Sir Henry Craik: The Bengal Government have stated that in the statement issued by them.

STANDING ORDER IN THE INDIAN STORES DEPARTMENT RE SANCTION REQUIRED FOR LEAVING STATION ON SUBMISSION OF MEDICAL CERTIFICATE.

690. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state whether the submission (not mere possession) of the medical certificate to the office concerned does confer on the Government servants the right to leave?

(b) Is it a fact that in the Indian Stores Department a Standing Order No. 193 has been issued to the effect that the Government servants cannot leave the station without the previous sanction of the department, even when they are advised by their medical attendants to leave the station on grounds of illness?

(c) If so, are Government prepared to take all responsibility for the health and safety of the life of the Government servant concerned during the period he has to wait for the sanction of the department to leave the station?

Mr. E. M. Jenkins: (a) No.

(b) Yes.

(c) I do not know what the Honourable Member means. In really urgent cases, leave is given as a matter of course.

CASES FOR MEDICAL LEAVE OF THE EMPLOYEES OF THE INDIAN STORES DEPARTMENT REFERRED TO CIVIL SURGEONS.

691. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the number of employees in the Indian Stores Department who went on leave on average pay on medical certificate since 1st May, 1934?

(b) Were all these certificates issued by registered medical practitioners or Government medical attendants?

(c) In how many cases such employees were asked to produce themselves before the Civil Surgeons for recommendation of leave?

(d) Against the number of cases referred to the Civil Surgeons, in how many cases was the leave recommended by the Civil Surgeons:

(i) for the period originally recommended by the medical attendant;

(ii) for the period less than that originally recommended by the medical attendant; and

(iii) for the period more than that originally recommended by the medical attendant?

(e) Are Government prepared to consider the desirability of putting a stop to the practice of frequent references of cases to Civil Surgeons?

Mr. E. M. Jenkins: (a) to (d). The collection of this information would involve a great deal of labour which would not be justified by the results.

(e) Government are not prepared to interfere, without good reason, with a discretion given by rule to the authorities empowered to sanction leave. They are satisfied that in the Indian Stores Department the discretion is not abused.

GRANT OF LEAVE TO MR. SWAMI NATHAN, A CLERK IN THE ENGINEERING BRANCH OF THE INDIAN STORES DEPARTMENT.

692. *Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that Mr. Swami Nathan, clerk, Engineering Branch, Indian Stores Department, is related to Rao Sahab V. S. Subramaniam, an officer in the same department?

(b) Is it a fact that Mr. Swami Nathan applied for a month's leave in the month of June 1935?

(c) Is it a fact that a demi-official letter was received from Rao Sahab Subramaniam in connection with the leave applied for by Mr. Swami Nathan?

(d) Is it a fact that while sanctioning his leave the remarks purporting to the following were made on the file. "Mr. Swami Nathan may be granted leave because he is the son-in-law of Rao Sahab Subramaniam"?

(e) Is it a fact that the Engineering Branch was under-staffed at the time when Mr. Swami Nathan was granted leave?

(f) Do Government propose to consider the advisability of putting a stop to such practices and to see that all Government servants are given equal opportunities to avail themselves of the leave they are entitled to?

Mr. E. M. Jenkins: (a) Yes.

(b) Mr. Swami Nathan applied in June, 1935, for leave for two months and one day from 17th June, 1935.

(c), (d) and (e). No.

(f) Does not arise.

FILLING UP OF TEMPORARY VACANCIES IN THE GOVERNMENT OF INDIA OFFICES.

693. *Pandit Sri Krishna Dutta Paliwal: Is it a fact that in those departments of the Government of India in which recruitment of the ministerial staff is made through the Public Service Commission, vacancies of more than three months' duration in the grade of typist and routine clerks are also to be filled in by the qualified candidates of the Public Service Commission?

The Honourable Sir Henry Craik: Yes.

COMMUNAL HOLIDAYS AND CASUAL LEAVE ALLOWED TO THE STAFF IN
THE GOVERNMENT OF INDIA OFFICES.

694. ***Pandit Sri Krishna Dutta Paliwal**: Will Government please state how many communal holidays and how many days casual leave a member of the ministerial staff of the Government of India Secretariat and its attached offices is entitled to during a year?

The Honourable Sir Henry Craik: Six communal holidays are admissible in a year to the employees of the Government of India Secretariat and attached offices which move between Simla and Delhi. Casual leave is granted as a matter of grace and not of right and is normally limited to ten days in a year though, in very special circumstances, it is within the discretion of the head of the office to extend this period.

Mr. N. M. Joshi: May I ask why a smaller number of days casual leave is given to the ministerial staff than it is to the other staff?

The Honourable Sir Henry Craik: I do not think that is the case.

Mr. S. Satyamurti: What does a holiday to Government servants cost to the tax-payer?

The Honourable Sir Henry Craik: I should think a good deal. I do not know.

GRANT OF CASUAL LEAVE ON MEDICAL GROUNDS IN THE INDIAN STORES
DEPARTMENT.

695. ***Pandit Sri Krishna Dutta Paliwal**: (a) Is it a fact that in most of the Government of India Secretariat and attached offices the members of the ministerial staff have to produce medical certificates in case of casual leave for more than two days on grounds of illness?

(b) Is it a fact that in the Indian Stores Department the medical certificate is required to be submitted in case of casual leave even for two days on grounds of illness? If so, why does this disparity exist in the Indian Stores Department?

Mr. E. M. Jenkins: (a) and (b). The matter is entirely within the discretion of the authority competent to grant the leave.

ELIGIBILITY OF INDIANS FOR COLONIAL SERVICE.

696. ***Sardar Mangal Singh**: (a) Will Government please state whether Indians are eligible for Colonial service in all the Colonies and whether there is no bar in theory or practice against the Indians being taken in service in all the Colonies?

(b) Will Government please lay on the table of this House a copy of the rules for the recruitment to the services in the Colonies, particularly relating to the Colonies situated in Asia and Africa?

(c) Will Government please state the reasons for the discrimination against Indians in the matter of recruitment to the services in the Colonies?

(d) What action do Government propose to take to safeguard the

The Honourable Sir Henry Craik: (a), (c) and (d). So far as the Government of India are aware there is no statutory bar to the appointment of lawfully resident Indians to the Civil Services in all the Colonies, except Ceylon and Malaya. The Government of India have endeavoured in the past to secure the removal in these two Colonies of all formal disabilities on the entry of Indians into their public services but without success.

(b) No copies of rules for recruitment to the services in the Colonies are available.

Sardar Mangal Singh: Is it not the rule that candidates must be natural born British subjects of pure European descent on both sides?

The Honourable Sir Henry Craik: Rule for what?

Sardar Mangal Singh: For eligibility for service in the Colonies.

The Honourable Sir Henry Craik: No. My information is that there is no bar to the recruitment of Indians resident in those Colonies, except in Ceylon and Malaya.

Sardar Mangal Singh: I am quoting from the rules. It is clearly laid down that candidates must be natural born British subjects of pure European descent on both sides.

The Honourable Sir Henry Craik: What rule?

Sardar Mangal Singh: Cadetship in Malaya, Hongkong and other places.

Mr. Lalchand Navalrai: May I know why this distinction is made in the two Colonies mentioned by the Honourable Member?

The Honourable Sir Henry Craik: I have said that the Government of India have endeavoured in the past to get these distinctions removed but without success.

Mr. T. S. Avinashilingam Chettiar: Is there any similar disability placed upon Malaya and Ceylon in this country.

The Honourable Sir Henry Craik: I do not think there is.

Mr. T. S. Avinashilingam Chettiar: If Government have corresponded with those countries and they have not received a favourable reply, will they consider the advisability of placing similar restrictions in this country?

The Honourable Sir Henry Craik: That is one method of dealing with the matter. I will consider that.

BAN ON THE KIRPANS.

697. ***Sardar Mangal Singh:** (a) Will Government please state whether the Local Government consulted the Government of India before issuing the orders under section 144, putting a ban on the kirpan?

(b) Are Government aware that there was a great feeling of resentment prevailing amongst the Sikhs against this direct interference with the Sikh religion?

(c) Are Government prepared to issue instructions to all the Local Governments not to put any restriction on *kirpan* carried and possessed by a Sikh?

The Honourable Sir Henry Craik: (a) The order prohibiting temporarily the carrying of all arms in public within the limits of the Lahore Municipality was issued by the District Magistrate. The Government of India were not consulted.

(b) and (c). Government are aware that there was a feeling of resentment among the Sikhs on account of this order, but Government do not accept the suggestion that this order was a direct interference with the Sikh religion, since it was made clear in the order that it was intended to apply only to such *kirpans* as were capable of being used as weapons, and further that it only related to the carrying of arms in public. The imposition of the ban, which was not intended to interfere with any religious obligation, asserted a principle which the Government of India agree with the Government of the Punjab in regarding as vital, namely, the right of a District Magistrate in times of disorder to disarm all members of the public if he considers it necessary to do so. Government are not prepared to issue any instructions to Local Governments in such a matter.

Sardar Mangal Singh: Was there any size fixed in the prohibition order with regard to the *kirpans*?

The Honourable Sir Henry Craik: As far as I know, not specifically, but it was stated that *kirpans* capable of being used as weapons were not to be carried in public.

Mr. Lalchand Navalrai: Is not a knife also a weapon which may be used for that purpose.

Mr. President (The Honourable Sir Abdur Rahim). That is a matter for argument.

Mr. Lalchand Navalrai: I am simply asking whether knives were prohibited, because they can also be used as weapons.

The Honourable Sir Henry Craik: As far as I know, the order was that *kirpans* capable of being used as weapons were prohibited. Whether any particular *kirpan* is or is not capable of being used as a weapon is a matter for the decision of the Courts.

Sardar Mangal Singh: Is the Honourable Member aware that, even during the martial law days, similar restrictions were not imposed on *kirpans*?

The Honourable Sir Henry Craik: That was a long time ago, but my recollection is that the carrying of *kirpans* was prohibited in 1919, though I cannot say for certain.

Sardar Mangal Singh: I would remind the Honourable Member that he happened to be the Chief Secretary of the Punjab Government, and that, when there were serious riots in Lahore and orders under section 144 were issued against all kinds of arms, *kirpans* were not touched?

The Honourable Sir Henry Craik: I believe that is correct of the riots of 1927.

Sardar Mangal Singh: Do Government not think that the District Magistrate under section 144 is not authorised to legislate? He is only to regulate the conduct of citizens or for a particular locality, but he cannot legislate. The wearing of *kirpans* is a right conferred upon the Sikhs by the Legislature and the District Magistrate has no right to take away that right.

The Honourable Sir Henry Craik: That seems to be argument and not a question. The point raised is a constitutional and legal one on which I am not prepared to express an opinion.

Sardar Mangal Singh: May I advise the Government to issue suitable instructions to different Provincial Governments when there is a different law about *kirpans* in different Provinces? For instance, in the Punjab, I can keep a *kirpan*, but if I go into Sind, I am a criminal and I am hauled up before a Court. May I ask why this anomaly is maintained by the British Government?

The Honourable Sir Henry Craik: That is an entirely different matter and does not arise out of any answer I have given.

FINANCIAL HELP TO AGRICULTURE BY THE RESERVE BANK OF INDIA.

698. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) what the recommendations made by Mr. Darling were regarding the manner in which the Reserve Bank of India can and ought to help to finance agriculture, and
- (b) what action has been taken by the Bank on those lines?

The Honourable Sir James Grigg: (a) and (b). I would invite the attention of the Honourable Member to the reply given to his question No. 822 on the 12th September, 1935, and also to the replies given to Mr. Akhil Chandra Datta's questions Nos. 196 and 197 on the 10th February, 1936. I also draw the Honourable Member's attention to the remarks of the Reserve Bank on its Agricultural Credit Department in its annual report

Prof. N. G. Ranga: Will Government consider the advisability of publishing these reports of Mr. Darling?

The Honourable Sir James Grigg: I have answered questions on that point: the reports were made to the Reserve Bank and it does not lie with Government to publish them.

Prof. N. G. Ranga: Will Government place at least the recommendations of Mr. Darling on the table of this House?

The Honourable Sir James Grigg: I have just said that, as the reports were made to the Reserve Bank, it is not within the competence of the Government to place them before this House.

CO-OPERATIVE TRAINING AND EDUCATION.

699. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) the recommendations made by Mr. Darling for the expenditure of rupees ten lakhs out of the Rural Development Grant on Co-operative Training and Education;
- (b) what action has been taken on those recommendations;
- (c) how Government propose to apportion that grant among the various provinces; and
- (d) whether the Provincial Co-operative Federations and All-India Federation of Co-operative Training Institute are going to be given any grants or subsidies to better enable them to carry on their educational work?

Sir Girja Shankar Bajpai: (a) Mr. Darling's recommendations related primarily to the training of the co-operative staff and to the educating of members of co-operative societies in the principles of co-operation. The amount set apart by the Government of India for the purpose is Rs. 15 lakhs.

(b) and (c) Mr. Darling's suggestions have been brought to the notice of Local Governments and, as already stated, a sum of Rs. 15 lakhs has been set apart for implementing those recommendations. Actual distribution of the money will be made on the basis of the membership of primary societies in each province.

(d) The matter is for Local Governments to consider.

Prof. N. G. Ranga: Have Government received any reports from the various provinces on the recommendations of Mr. Darling?

Sir Girja Shankar Bajpai: Sir, Local Governments were asked to submit to the Government annually reports on the training scheme which they were to put into operation. The first annual reports have not come in yet.

Prof. N. G. Ranga: Have any Provincial Governments submitted any of their schemes for the training of their co-operative staff as well as the members of the primary co-operative societies?

Sir Girja Shankar Bajpai: Mr. Darling's recommendations were made after consulting Local Governments

CADETS TRAINED ON THE "DUFFERIN".

700. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) if it is a fact that some of the cadets trained on the S.S. "Dufferin" are suffering from unemployment;

- (b) whether some of them were refused employment by the steamship companies trading in the Indian ports;
- (c) if so, how many have been trained on the S.S. "Dufferin", since its inception, how many are unemployed, and how many have complained of neglect at the hands of the European Steamship Companies;
- (d) if it is a fact that representations have been made to Government from Bombay that Government shall impose a condition upon the P. & O. and Orient Steamship Companies, at least that they shall engage a certain number of trained Indians on their ships; and
- (e) if so, what action Government propose to take in this regard?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). Since the establishment of the "Dufferin", 181 cadets have completed their training and taken their passing-out certificates. As regards the number of *ex*-cadets who are unemployed, I would refer the Honourable Member to the reply given by me to part (a) of Mr. Asaf Ali's starred question No. 456 on the 14th February. So far as Government are aware only one cadet has complained of neglect in the matter of employment.

(b) So far as Government are aware shipping companies engaged in the coasting trade of India have not refused to employ *ex*-"Dufferin" cadets.

(d) Representations have been received by Government from one or two Indian commercial bodies at Bombay urging them to introduce a condition regarding the employment of *ex*-"Dufferin" cadets as officers in their agreements with shipping companies who are in receipt of payments for the carriage of mails.

(e) Attention is invited to my reply to parts (c) and (f) of Mr. Asaf Ali's question referred to above.

AERIAL BOMBARDMENT ON THE NORTH-WEST FRONTIER.

701. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) if bombing from the air is still going on on the North-West Frontier;
- (b) how many times were such air-bombing operations carried on since the adjournment of the House upon this question was discussed in the Simla Session of the Assembly;
- (c) how many bombs were let down;
- (d) what the causes were that completed, on each occasion, the military authorities to carry on these air-bombing operations;
- (e) what the casualties were; and
- (f) what is the approximate cost of these operations?

Mr. G. R. F. Tottenham: (a) No. There has been no bombing since the conclusion of the operations of last September.

(b) Air bombing was continued for about three weeks after September 4th as part of the operations then in progress.

(c), (d) and (e). The air operations during this period were designed to deny a large area of country to gatherings of hostile tribesmen, thus covering the advance of troops and facilitating the building of the road in safety. A prolonged task of this kind—as would also have been the case if artillery could have been used for the same purpose—necessitated the use of a large amount of ammunition, and about 2,500 bombs were dropped during the period in question for the above purpose. The operations, thus, were not designed to inflict human casualties and it is doubtful if any were caused by the bombs. At any rate, from the nature of the case, it is impossible to give any official information on this point.

(f) The complete cost of the operations has not yet been compiled.

Prof. N. G. Ranga: Has any attempt been made to ascertain how much damage was caused by these bombing operations and how many people were actually killed or injured?

Mr. G. R. F. Tottenham: No, Sir. In the circumstances, it is almost impossible to ascertain the number of casualties, because, if casualties are caused, the tribesmen invariably take away the bodies and say nothing about it. Any information we do get is in the nature of rumours coming from casual informers who may come across.

Mr. T. S. Avinashilingam Chettiar: Have Government made any inquiries of the tribesmen?

Mr. G. R. F. Tottenham: No, Sir. One does not ordinarily make inquiries from the enemy against whom one is fighting as to the number of their casualties.

Prof. N. G. Ranga: Are bombing operations carried on without any relation at all to the amount of damage caused to the people on whom these bombs are thrown?

Mr. G. R. F. Tottenham: I am afraid I cannot quite understand the Honourable Member.

Prof. N. G. Ranga: Are these bombing operations carried on without any relation whatsoever to the hurt and damage caused to the people on whom these bombs are thrown?

Mr. G. R. F. Tottenham: Sir, bombs were not thrown on people and in order to inflict human casualties,—as I have already explained at considerable length. The bombs were thrown on a certain area to prevent people coming into that area, and the amount of bombing was calculated for that purpose; they were not dropped for the purpose of inflicting casualties on women and children or peaceful inhabitants.

Prof. N. G. Ranga: Are these operations carried on without any idea of the cost of these operations?

Mr. G. R. F. Tottenham: The cost of the operations is incidental to the operations themselves. We do not, when we are fighting, take into account what it is going to cost; we have to carry out such operations as may be necessary to achieve the object in view.

Mr. S. Satyamurti: May I know if Government propose to carry on these bombing operations, without having any means of ascertaining the damage to human life which they may cause, and do they not consider that considerations of humanity at least must make them realise the consequences of these operations to human life, before they embark on these operations?

Mr. G. R. F. Tottenham: As I have already said, we always take such precautions as are possible, by giving ample warning so as to avoid inflicting casualties on non-combatants. I do not think we can do more than that.

Mr. S. Satyamurti: How can Government satisfy themselves that these precautions which they say they take for minimising casualties on human life are effective, since they have no information as to the effect of these operations on human life?

Mr. G. R. F. Tottenham: We have every reason to believe that the warnings are fully understood and acted upon by the inhabitants of the villages that are bombed, and we have no reason to believe that any large loss of life has been caused by these operations.

Mr. S. Satyamurti: Do Government realise that their example of bombing from the air and similar operations upon people in the frontier who are not actually fighting is being copied by the Italians in Ethiopia and making the struggle there more grim and more inhuman?

Mr. G. R. F. Tottenham: As I have said, we do not bomb the populations of the villages on the Frontier.

Prof. N. G. Ranga: Is it the policy of the Government of India to carry on these bombing operations whenever they think them to be necessary?

Mr. G. R. F. Tottenham: Yes, Sir. We shall continue to carry on these operations whenever we think them to be necessary.

Prof. N. G. Ranga: Is it not a fact that this House recommended to the Governor General in Council that such operations should be stopped?

Mr. G. R. F. Tottenham: The House recommended that the policy of bombing women and children should be stopped, and I explained to the House that it is not the policy of Government to bomb women and children.

Mr. T. S. Avinashilingam Chettiar: Have Government satisfied themselves that women and children have not been bombed?

Mr. G. R. F. Tottenham: We take every possible precaution to avoid doing that.

Mr. S. Satyamurti: What is the precaution they take?

Mr. G. R. F. Tottenham: By giving ample warning that certain targets are going to be attacked by bombing from the air.

Mr. President (The Honourable Sir Abdur Rahim): Next question..

CONDITION OF WORKERS ENGAGED ON LAND AND IN COTTAGE INDUSTRIES.

702. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact that the Workmen's Compensation Act and Factory Act do not apply to the workers engaged on land and in cottage industries?

(b) If the reply to part (a) be in the affirmative, what action do Government propose to take to help them?

(c) Are Government prepared to consider the advisability of investigating into their conditions of employment and life and ascertain the remedial measures, necessary for their uplift?

Sir Girja Shankar Bajpai: (a) Generally speaking, yes.

(b) and (c). The question of investigating the conditions of workers on the land and in cottage industries is primarily the concern of provincial Governments. As the Honourable Member is no doubt aware, the Government of India are making grants-in-aid of about Rs. 5 lakhs and Rs. 1 lakh per annum for a period of five years for the development of handloom weaving industry and sericultural industry, respectively. They also propose, subject to the vote of this Assembly, to make a grant of Rs. 5 lakhs spread over five years for the benefit of the cottage and small scale woollen industries.

Prof. N. G. Ranga: Are Government aware of the fact that there is a regular factory system of employment in several of these cottage industries, and, in view of that, the application of the provisions of the Factory Act to these industries is badly needed?

Sir Girja Shankar Bajpai: That is my Honourable friend's opinion. I have no doubt that if the circumstances are as he has said, the Local Governments, whose concern it is, will look into the matter.

Prof. N. G. Ranga: Is it not a fact that it is primarily the duty of the Government of India to think of extending the scope of the Workmen's Compensation Act and the Factory Act, and not that of the Provincial Governments?

Sir Girja Shankar Bajpai: In this matter the Government of India cannot take action in advance of the capacity of the Local Governments.

Prof. N. G. Ranga: Is it then a fact that the initiative lies with Provincial Governments, and it is only on the advice or request of the Provincial Governments that any extension of the scope of these two Acts will be considered by the Government of India?

Sir Girja Shankar Bajpai: The position is that this question was brought to the notice of all the Local Governments in 1935 in a letter dated the 30th April, and it is now for the Local Governments to take such action as they consider desirable.

LAND REVENUE POLICIES AND SYSTEMS PREVAILING IN THE PROVINCES.

703. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) whether they are aware of the G. O. published by Lord Curzon on the Land Revenue Policy of Government,
- (b) if so, what are its special features;
- (c) what action has so far been taken by various provinces to give effect to the assurances given therein;
- (d) whether Government have tried to review the condition of the provincial land revenue systems either before or after the inauguration of the Mont-Ford Reforms;
- (e) if so, what were the general conclusions arrived at, as a result of that review; and
- (f) if not, whether Government propose to consider the advisability of reviewing the present position of the land revenue policies and systems prevailing in different provinces and suggesting any alterations or modifications in the light of the sufferings of the peasants during the economic depression, or in the light of the growth of the various aspects of the central and provincial systems of taxation and their varying incidence upon different classes of people?

Sir Girja Shankar Bajpai: (a) The Honourable Member presumably refers to the Resolution of the Governor General in Council, No. 1, dated the 16th January, 1902. If so, the answer is, yes.

(b) A Curzonian quality of diction.

(c) So far as the Government of India are aware, the suggestions contained in the Resolution have been acted upon by Local Governments.

(d) Provincial land revenue systems came under the review of the Government of India in 1926-27 in connection with the recommendations of the Indian Taxation Enquiry Committee, and again in 1929 in connection with a Conference of Revenue Members held in that year.

(e) On the earlier occasion it was decided to take no immediate action in view of impending constitutional changes. In view of the changed constitutional position since 1921, the review in 1929 resulted mainly in suggestions to Local Governments regarding administrative practice.

(f) The Honourable Member will appreciate, that considering the constitutional position, particularly the expected inauguration of Provincial Autonomy in the near future, the Government of India cannot undertake a review of the 'present position of land revenue policy'. In regard to Centrally Administered Areas, the Honourable Member's attention is invited to the relevant portion of the Honourable the Finance Member's speech made in this House on the 14th February, 1935, on the Resolution on taxation policy moved by Dr. Ziauddin Ahmad. As regards the effect of the economic depression on the peasantry, the Honourable Member is no doubt aware that the Local Governments concerned have taken steps, by means of remission of land revenue and otherwise, to help the cultivator. Some account of this would be found in my speech in this House on the 6th April, 1934, on Rai Bahadur Lala Brij Kishore's Resolution on a committee of enquiry into agricultural distress.

Seth Govind Das: Do Government think that Provincial Governments have done enough for giving remissions to the peasantry?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion.

Prof. N. G. Ranga: In view of the fact that the Taxation Enquiry Committee, which reported in 1926-27, was precluded from making any recommendations in regard to the land revenue, will Government consider the advisability of publishing the suggestions made by the conference of Revenue Members of all the Provinces held in Delhi?

Sir Girja Shankar Bajpai: Yes, Sir. But I have already informed Honourable Members that the recommendations made by the Revenue Members' Conference of 1929 were of a purely administrative character. They did not touch large questions of land revenue policy.

Prof. N. G. Ranga: Will Government at least consider the advisability of publishing these suggestions even if they are of a purely administrative character, because they may be of very great use to the peasants?

Sir Girja Shankar Bajpai: I do not think it is necessary to publish these recommendations because they were communicated to Local Governments.

Mr. S. Satyamurti: Have Government considered, or do they propose to consider, the question of bringing within the scope of the Income-tax Act agricultural incomes, in view of the present parlous position of the finances in the Centre as well as in the Provinces, under the expected Reforms?

The Honourable Sir James Grigg: No, Sir. Under the new Constitution, taxation of agricultural incomes is a matter for the Provincial Governments.

Mr. S. Satyamurti: Is this Act then like the laws of Medes and Persians? May I ask the Honourable the Finance Member whether in view of the parlous position of finances—he knows, none better—both of the Central and of the Provincial under the expected Reforms, whether Government will not consider the question, especially in view of the fact that income-tax has to be remitted by half to the Provinces, of bringing agricultural income within the scope of all-India income-tax?

The Honourable Sir James Grigg: The Honourable Member's question consists of two parts. As regards the first part, I am not well acquainted with the laws of Medes and Persians. As regards the second part, I think the Honourable Member had better await the review of Indian finances which will result from Sir Otto Niemeyer's enquiry.

Mr. S. Satyamurti: Will the results of that enquiry be placed before the House so that Government may have the benefit of our suggestions?

The Honourable Sir James Grigg: I cannot say that now.

Sir Muhammad Yakub: Is it not a fact that agricultural incomes are already taxed heavily by means of payment of land revenue to the extent of more than 40 per cent?

The Honourable Sir James Grigg: I understand it is not admitted that land revenue contains any element of taxation.

Sir Muhammad Yakub: Do Government propose to encourage Communism by levying further tax on landlords?

The Honourable Sir James Grigg: I have already answered that question by saying, no.

Prof. N. G. Ranga: Is it not a fact that the Simon Commission recommended the imposition of an income-tax on incomes from land specially zamindari incomes?

The Honourable Sir James Grigg: There are a good many of the recommendations of the Simon Commission which have not been adopted.

Mr. S. Satyamurti: What is the proportion of tax which zamindars, under the permanent settlement, pay as land revenue to the tax, which they will have to pay if they were under ryotwari system?

The Honourable Sir James Grigg: I want notice of that.

Prof. N. G. Ranga: Is it not a fact that landlords, under the permanent settlement, are exempt today from the payment of income-tax upon all their incomes?

Sir Girja Shankar Bajpai: Broadly stated, that is correct.

Mr. S. Satyamurti: Then, where does the "Communism" of Sir Muhammad Yakub come in here?

ORGANISATION OF LIFE, FIRE AND CATTLE INSURANCE FOR THE BENEFIT OF PEASANTS.

704. ***Prof. N. G. Ranga:** Will Government be pleased to state: "

- (a) if they are aware of any countries where the Governments have attempted to organise life, fire and cattle insurance for the benefit of peasants;
- (b) if so, what are those countries;
- (c) whether such insurance schemes have been successful; and
- (d) whether Government are prepared to consider the advisability of preparing and carrying out schemes for such state enterprises of insuring the various assets of the peasants?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). Government have no detailed information regarding any State schemes of insurance carried out specifically for the benefit of peasants in other

countries. In India there are in some provinces a large number of co-operative societies for cattle insurance, the formation of which has been rendered possible by the Co-operative Societies Act of 1912.

(d) No.

Prof. N. G. Ranga: Are Government aware that the Mysore Government has organised a cattle insurance scheme for the peasants?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

FIXATION OF THE MINIMUM PRICE OF SUGAR-CANE.

705. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) in which provinces the minimum price of sugar-cane to be paid to the growers of sugar-cane has been fixed;
- (b) when they were fixed;
- (c) for what period they were fixed; and
- (d) what procedure is adopted in fixing or revising such prices?

Sir Girja Shankar Bajpai: (a) The United Provinces and Bihar and Orissa.

(b) to (d). Notifications of the Local Governments which contain the desired information will be found in the Library of the House.

Prof. N. G. Ranga: Are Government aware of the fact that the Madras Government have withdrawn their regulations regarding the fixation of minimum prices for sugar-cane in that Province?

Sir Girja Shankar Bajpai: I am not aware that Madras Government had made any regulations.

Mr. N. M. Joshi: May I ask whether the Government of India will consider the question of fixing minimum wages being paid to the workers in the sugar factories?

Sir Girja Shankar Bajpai: I do not think that arises out of this question.

Prof. N. G. Ranga: What is the usual procedure adopted in fixing minimum prices?

Sir Girja Shankar Bajpai: The Local Government concerned enquires into the local conditions and then prescribes the minimum price.

Prof. N. G. Ranga: Before any such procedure is adopted or revised, are the Government of India consulted?

Sir Girja Shankar Bajpai: No, Sir. The Government of India are not consulted because the Government of India are not in a position to decide what rate of price is suited to the special conditions prevailing in a particular Province.

Prof. N. G. Ranga: Is it in accordance with the policy of the Government of India and the rules laid down by them that these minimum prices have come to be fixed in these various provinces?

Sir Girja Shankar Bajpai: The Government of India have general power of supervision in regard to rules that are made for the fixation of prices, and the Local Governments forward to them the prices which they actually fix. Hitherto, to the knowledge of the Government of India, no circumstances have arisen to justify their interference.

Seth Govind Das: Is this work being done by the expert of the Government of India who is posted at Cawnpore?

Sir Girja Shankar Bajpai: I gather that the Government of the United Provinces make use of the services of the sugar technologist who is maintained by the Imperial Council of Agricultural Research; but the Government of Bihar and Orissa, as far as I know, do not utilise his services.

Mr. N. M. Joshi: When the Government of India take steps to fix the minimum prices of sugar-cane for the benefit of the growers of the sugar-cane, do they not expect the growers of sugar-cane to pass on the benefit to the workers on the sugar-cane fields?

Sir Girja Shankar Bajpai: My Honourable friend does not seem to appreciate the fact that a good many of the growers of sugar-cane are workers on the fields themselves.

Mr. N. M. Joshi: May I know what they propose to do where the workers are not the owners of the sugar-cane?

Sir Girja Shankar Bajpai: There I presume that the conditions are not such as to justify any interference by the Government of India.

Prof. N. G. Ranga: Will Government try to ascertain whether any representations have been made by the peasants of Madras to the Madras Government that minimum prices should be fixed and that the recent action of the Madras Government in rescinding their orders regarding minimum prices should be withdrawn?

Sir Girja Shankar Bajpai: If my Honourable friend would bring to my knowledge the representations to which he refers, and if I find that any action by the Government of India in the nature of transmitting those representations to the Madras Government is called for, I will consider what we can do.

Mr. N. M. Joshi: May I ask whether the Government of India will make an inquiry regarding the wages paid to the workers on the sugar-cane fields?

Sir Girja Shankar Bajpai: The position really is that, if we take up the investigation of wages paid with regard to a particular crop, we cannot stop there; it has got to extend to every other crop, and it seems to me that that is primarily a matter for Local Governments.

INCOME OF PEASANTS FROM AGRICULTURAL PRODUCE.

706. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) if they are aware of the great increase in the income of the farmers in the United States of America, as reported in the *Statesman* of the 21st December, 1935;
- (b) if so, whether there has been any increase or fall in the total annual income from agricultural produce of the Indian peasants since 1929;
- (c) if so, how much increase or fall per annum during these years;
- (d) who has made those estimates; and
- (e) if no such estimates have so far been made, whether Government realise the importance of getting such estimates made by some competent authority?

Sir Girja Shankar Bajpai: (a) Government have seen the report.

(b) and (c). Government regret that data that would enable parts (b) and (c) to be answered are not available; indeed it is extremely doubtful whether it is possible to make even a rough estimate of the total annual income from agricultural produce as statistics of production are very far from complete and price statistics are unsatisfactory.

(d) In view of the answer to parts (b) and (c) this does not arise.

(e) The initiative will rest primarily with Local Governments.

Prof. N. G. Ranga: In view of the fact that the Government of India publish every year their report on agricultural statistics, do Government consider it impossible to ascertain the total value of agricultural produce in this country?

Sir Girja Shankar Bajpai: The fact that the Government of India publish certain statistics does not mean that they collect those statistics. They publish what the Local Governments supply to them.

UNEMPLOYMENT PROBLEM.

707. *Prof. N. G. Ranga: Will Government be pleased to state whether they are prepared to conduct an enquiry into the incidence and remedial measures needed to combat unemployment not only among the educated middle classes, but also among the peasants and labour on land in at least the centrally administered areas?

Sir Girja Shankar Bajpai: The matter has been considered in certain aspects by the Central Advisory Board of Education; the Government of India are now engaged in considering the recommendations of the Board and Local Governments will shortly be addressed on the subject.

Prof. N. G. Ranga: With regard to labour on land and the unemployment prevailing among those classes, what steps do the Government of India propose to take to ascertain the incidence and the remedial measures for unemployment amongst those classes, that is, labour on land?

Sir Girja Shankar Bajpai: That matter has been discussed before and the Government of India's attitude has been that the problem, apart from the fact that it is for Local Governments, is too vast really to be tackled by them.

Mr. S. Satyamurti: Have Government considered the report of the Unemployment Committee in the United Provinces?

Sir Girja Shankar Bajpai: The report of the Unemployment Committee in the United Provinces was submitted to the Government of the United Provinces and not to the Government of India.

Mr. S. Satyamurti: Will the Government of India send for the report of that Committee which was presided over by Sir Tej Bahadur Sapru, an *ex-Member* of the Viceroy's Executive Council and one of the most distinguished men in India, and consider the very useful suggestions made therein?

Sir Girja Shankar Bajpai: My Honourable friend seems to suggest that the Government of India are not conscious of the importance of the report or the eminence of the Chairman of the Committee. That is not true at all. It was because of the realisation of the eminence of the gentleman in question that he was appointed a member of the Central Advisory Board of Education, and I can assure my Honourable friend that the Board had the benefit of what Sir Tej Bahadur had to say on the subject of educational reconstruction in relation to the problem of unemployment.

Mr. S. Satyamurti: But will Government send for that report, read it, have the benefit of those suggestions, and then address the Local Governments for taking those suggestions into consideration?

Sir Girja Shankar Bajpai: A copy of the report, as far as I know, has been received in the department concerned and will undoubtedly be studied.

LAND REVENUE SYSTEMS PREVAILING IN THE CENTRALLY ADMINISTERED AREAS.

708. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) the nature and rate per acre, of various systems of land revenue prevailing in the centrally administered areas;
- (b) whether the peasants of Ajmer-Merwara have made representations to relieve them of the exactions now being made by the various intermediaries between themselves and Government; and
- (c) what action has been taken to properly settle their rents or rates of assessment in cash?

Sir Girja Shankar Bajpai: (a) I would refer the Honourable Member to Summary Table, No. 6 in Volume I of the publication entitled *Agricultural Statistics of India, 1932-33*, which gives the latest available information.

(b) and (c). The question of the relations between the Istimrardars of Ajmer-Merwara and their tenants is under the consideration of Government. I would invite the Honourable Member's attention to the replies given by me to Maulvi Syed Murtaza Sahib Bahadur's starred question No. 1112 on the 28th March, 1935, and the supplementaries arising out of it, and by Sir Aubrey Motealfe to Pandit Sri Krishna Dutta Paliwal's starred question No. 669 on the 19th February, 1936.

Prof. N. G. Ranga: What progress has been made by the Government of India in the consideration of this particular question since March, 1935?

Sir Girja Shankar Bajpai: Something more than chronological.

EFFECT OF THE IMPOSITION OF IMPORT DUTY ON BROKEN RICE.

709. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) the prices of paddy, rice and broken rice, in different parts of the Madras Presidency for every month since the imposition of the import duty on broken rice, and for the corresponding months during the three previous years;
- (b) the monthly or quarterly quantities and values of the imported rice, broken rice and paddy, before (*i.e.*, since 1931) and after the imposition of the import duty on broken rice; and
- (c) the respective quantities of rice, broken rice and paddy which have been imported since 1931, from Siam, Indo-China, Japan and other countries?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). I lay on the table two statements furnishing the information as far as available. I might add that imports of broken rice were not separately recorded previous to April, 1934, and monthly or quarterly figures of its imports prior to this period are not available. Annual figures of imports of rice, including broken rice, and of paddy for the years 1931-32 to 1933-34 are available in the Annual Statement of Sea-borne Trade of British India for the year 1933-34, copies of which are in the Library.

I may, with your permission, Sir, add that on two previous occasions there have been supplementaries put to me on this matter. The supplementary question on one occasion was, "What is the position of Government with regard to imposing a duty on paddy and rice? Is it the position that Government do not intend to impose any duty?" It has been brought to my notice by an Honourable Member that the reply by me was that that was the present position. All I meant by that was that there is no such duty at present. Subsequently I answered another supplementary question and said that the question was still under consideration. That is the exact position. The present position is that there is no duty on rice and paddy; there is a duty on broken rice. The question whether there should or should not be a duty on rice and paddy is under the consideration of Government. Till Government have come to a decision they cannot say what the decision is likely to be, as no decision has yet been arrived at.

Statement showing imports into India of Rice, Broken Rice and Paddy from Foreign Countries.

| | Quantity. | | | Value. | | |
|--------------|-----------|--------------|--------|----------|--------------|-----------|
| | Rice. | Broken rice. | Paddy. | Rice. | Broken rice. | Paddy. |
| | Tons | Tons. | Tons. | Rs. | Rs. | Rs. |
| 1934. | | | | | | |
| April . . | 1,200 | 31,064 | 3,049 | 82,831 | 16,63,050 | 1,40,201 |
| May . . | 3,257 | 13,523 | 3,739 | 2,45,804 | 7,29,612 | 1,84,874 |
| June . . | 1,670 | 12,950 | 15,884 | 1,23,413 | 7,15,993 | 7,44,661 |
| July . . | 5,325 | 10,284 | 5,600 | 3,19,591 | 5,43,473 | 2,66,006 |
| August . . | 6,098 | 18,010 | 10,517 | 3,99,559 | 10,67,498 | 4,93,208 |
| September . | 7,465 | 12,223 | 10,159 | 5,22,791 | 8,04,143 | 5,15,126 |
| October . . | 4,637 | 35,552 | 22,676 | 3,22,483 | 23,98,583 | 12,36,460 |
| November . | 4,874 | 23,592 | 8,459 | 4,50,027 | 14,99,393 | 4,88,019 |
| December . | 5,646 | 29,073 | 26,093 | 5,00,010 | 19,44,700 | 13,25,986 |
| 1935. | | | | | | |
| January . . | 1,459 | 4,396 | 1,517 | 99,421 | 3,09,165 | 76,372 |
| February . . | 3,142 | 13,213 | 3,935 | 2,78,247 | 10,30,684 | 2,13,569 |
| March . . | 6,012 | 27,758 | .. | 4,82,911 | 22,10,678 | .. |
| April . . | 912 | 4,518 | 1,442 | 70,697 | 3,58,302 | 89,500 |
| May . . | 508 | .. | 10,548 | 47,138 | .. | 6,39,144 |
| June . . | 4 | .. | 7,363 | 855 | .. | 4,12,300 |
| July . . | 506 | .. | 8,484 | 47,066 | .. | 5,15,589 |
| August . . | 755 | 9,035 | 14,876 | 77,863 | 5,87,417 | 9,40,167 |
| September . | 664 | 11,930 | 15,855 | 58,803 | 7,90,139 | 9,50,277 |
| October . . | 1,300 | 5,942 | 20,704 | 1,15,052 | 3,78,700 | 11,77,048 |
| November . | 1,880 | 10,150 | 7,495 | 1,83,177 | 6,87,619 | 4,87,755 |
| December . | 2,993 | 8,179 | 5,619 | 3,10,126 | 5,47,239 | 3,41,196 |

Imports into British India by Sea.

1—Whole rice.

| | From | | | | | | | |
|-----------|-------|----------|--------------------|----------|------------------|------------|--------|----------|
| | Siam. | | French Indo-China. | | Other Countries. | | Total. | |
| | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. |
| 1934. | | | | | | | | |
| April | 500 | 37,110 | 25 | 1,750 | 675 | (a) 82,831 | 1,200 | 82,831 |
| May | 3,195 | 2,40,932 | 39 | 3,018 | 23 | 1,854 | 3,257 | 2,45,804 |
| June | 1,657 | 1,21,494 | .. | .. | 13 | 1,919 | 1,670 | 1,23,413 |
| July | 228 | 16,377 | 4,391 | 2,62,104 | 706 | (b) 41,110 | 5,325 | 3,19,591 |
| August | 5,893 | 3,84,436 | 197 | 13,162 | 8 | (c) 1,961 | 6,098 | 3,99,559 |
| September | 7,149 | 4,94,335 | 301 | 26,307 | 15 | (d) 2,149 | 7,465 | 5,22,791 |
| October | 2,135 | 1,40,387 | 2,497 | 1,81,181 | 5 | (e) 915 | 4,637 | 3,22,483 |
| November | 3,424 | 3,43,373 | 1,442 | 1,14,057 | 8 | (f) 1,597 | 4,874 | 4,59,027 |
| December | 2,870 | 2,68,031 | 2,751 | 2,29,173 | 25 | (g) 2,806 | 5,646 | 5,00,010 |
| 1935. | | | | | | | | |
| January | 1,453 | 98,160 | .. | .. | 6 | (c) 1,261 | 1,459 | 99,421 |
| February | 1,306 | 1,17,170 | 1,832 | 1,60,344 | 4 | (c) 733 | 3,142 | 2,78,247 |
| March | 2,594 | 2,30,250 | 3,414 | 2,51,802 | 4 | (c) 859 | 6,012 | 4,82,911 |
| April | 300 | 18,900 | 607 | 50,904 | 5 | (h) 893 | 912 | 70,697 |
| May | 500 | 45,540 | .. | .. | 8 | (c) 1,598 | 508 | 47,138 |
| June | .. | 6 | .. | .. | 4 | (c) 849 | 4 | 855 |
| July | 500 | 45,842 | .. | .. | 6 | (c) 1,224 | 506 | 47,066 |
| August | 750 | 77,000 | .. | .. | 5 | (c) 863 | 755 | 77,863 |
| September | 453 | 41,489 | 205 | 16,199 | 6 | (i) 1,115 | 664 | 58,803 |
| October | 401 | 37,367 | 892 | 76,138 | 7 | (j) 1,547 | 1,300 | 1,15,052 |
| November | 1,673 | 1,63,511 | 200 | 18,256 | 7 | (c) 1,410 | 1,880 | 1,83,177 |
| December | 2,988 | 3,08,982 | .. | .. | 5 | (k) 1,144 | 2,993 | 3,10,126 |

(a) Japan 672 tons valued at Rs. 43,519.

(b) Japan 705 tons valued at Rs. 40,924.

(c) Entirely from Japan.

(d) Japan 8 tons valued at Rs. 1,162.

(e) Japan 4 tons valued at Rs. 760.

(f) Japan 6 tons valued at Rs. 1,432.

(g) Japan 6 tons valued at Rs. 913.

(h) Japan 4 tons valued at Rs. 705.

(i) Japan 5 tons valued at Rs. 842.

(j) Japan 6 tons valued at Rs. 1,242.

Imports into British India by Sea.

2. Broken rice

| | From | | | | | | | |
|-------|--------|-----------|--------------------|----------|------------------|--------|--------|-----------|
| | Siam. | | French Indo-China. | | Other Countries. | | Total. | |
| | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. |
| 1934. | | | | | | | | |
| April | 28,895 | 15,41,802 | 2,168 | 1,21,153 | 1 | 95 | 31,064 | 16,63,065 |
| May | 12,507 | 6,75,483 | 515 | 30,783 | (a) 501 | 23,346 | 13,523 | 7,29,612 |
| June | 12,377 | 6,84,384 | 573 | 31,609 | .. | .. | 12,950 | 7,15,993 |
| July | 9,888 | 5,20,249 | 396 | 23,224 | .. | .. | 10,284 | 5,43,473 |
| Aug. | 17,328 | 10,13,383 | 682 | 54,115 | .. | .. | 18,010 | 10,67,498 |
| Sept. | 11,727 | 7,68,815 | 496 | 35,328 | .. | .. | 12,223 | 8,04,143 |
| Oct. | 35,252 | 23,77,452 | 300 | 21,131 | .. | .. | 35,552 | 23,98,583 |
| Nov. | 22,348 | 14,17,481 | 1,244 | 81,912 | .. | .. | 23,592 | 14,99,393 |
| Dec. | 24,517 | 16,40,571 | 4,555 | 3,04,065 | 1 | 64 | 29,073 | 19,44,700 |
| 1935. | | | | | | | | |
| Jan. | 4,179 | 2,90,265 | 217 | 18,900 | .. | .. | 4,396 | 3,09,165 |
| Feb. | 12,918 | 10,06,620 | 295 | 24,064 | .. | .. | 13,213 | 10,30,684 |
| March | 22,095 | 17,33,852 | 5,513 | 4,64,361 | 150 | 12,465 | 27,758 | 22,10,678 |
| April | 3,918 | 3,15,348 | 600 | 42,954 | .. | .. | 4,518 | 3,58,302 |
| May | .. | 41 | .. | .. | .. | .. | .. | 41 |
| June | .. | .. | .. | .. | .. | .. | .. | .. |
| July | .. | .. | .. | .. | .. | .. | .. | .. |
| Aug. | 9,035 | 5,87,417 | .. | .. | .. | .. | 9,035 | 5,87,417 |
| Sept. | 11,930 | 7,90,139 | .. | .. | .. | .. | 11,930 | 7,90,139 |
| Oct. | 5,792 | 3,69,594 | 150 | 9,106 | .. | .. | 5,942 | 3,78,700 |
| Nov. | 9,602 | 6,45,941 | 547 | 41,580 | 1 | (a) 98 | 10,150 | 6,87,619 |
| Dec. | 7,696 | 5,15,447 | 482 | 31,720 | 1 | (a) 72 | 8,179 | 5,47,239 |

(a) Entirely from Japan

Imports into British India by Sea.

3. Paddy.

| | From | | | | | | | |
|-----------|-------|----------|--------------------|-----------|------------------|---------|---------|-----------|
| | Siam. | | French Indo-China. | | Other Countries. | | Totals. | |
| | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. | Tons. | Rs. |
| 1934. | | | | | | | | |
| April | 1,386 | 62,332 | 1,663 | 77,869 | .. | .. | 3,049 | 1,40,201 |
| May | 3,439 | 1,70,536 | 300 | 14,322 | .. | 16 | 3,739 | 1,84,874 |
| June | 5,750 | 2,60,190 | 10,133 | 4,84,433 | 1 | 38 | 15,884 | 7,44,661 |
| July | 3,101 | 1,50,355 | 2,499 | 1,15,628 | .. | 23 | 5,600 | 2,66,006 |
| August | 1,881 | 1,00,133 | 8,636 | 3,93,067 | .. | 8 | 10,517 | 4,93,208 |
| September | 6,218 | 3,17,769 | 3,940 | 1,97,276 | 1 | 81 | 10,159 | 5,15,126 |
| October | 7,405 | 4,17,224 | 15,268 | 8,19,024 | 3 | 212 | 22,676 | 12,36,460 |
| November | 4,030 | 2,21,705 | 4,427 | 2,66,150 | 2 | 164 | 8,459 | 4,88,019 |
| December | 5,320 | 2,77,358 | 20,772 | 10,48,560 | 1 | 68 | 26,093 | 13,25,986 |
| 1935. | | | | | | | | |
| January | 1,517 | 76,372 | .. | .. | .. | .. | 1,517 | 76,372 |
| February | .. | .. | 3,935 | 2,13,569 | .. | .. | 3,935 | 2,13,569 |
| March | .. | .. | .. | .. | .. | .. | .. | .. |
| April | .. | .. | 1,442 | 89,500 | .. | .. | 1,442 | 89,500 |
| May | .. | 6 | 10,548 | 6,39,125 | .. | 13 | 10,548 | 6,39,144 |
| June | .. | .. | 7,360 | 4,12,128 | 3 | (a) 172 | 7,363 | 4,12,300 |
| July | 5,073 | 3,18,611 | 3,411 | 1,96,978 | .. | .. | 8,484 | 5,15,589 |
| August | 550 | 33,836 | 14,326 | 9,06,331 | .. | .. | 14,876 | 9,40,167 |
| September | 5,358 | 3,04,076 | 10,497 | 6,46,178 | .. | 23 | 15,855 | 9,50,277 |
| October | 3,247 | 1,56,775 | 17,456 | 10,20,231 | 1 | 42 | 20,704 | 11,77,048 |
| November | 3,535 | 2,25,711 | 3,960 | 2,62,044 | .. | .. | 7,495 | 4,87,755 |
| December | 837 | 49,592 | 4,782 | 2,91,604 | .. | .. | 5,619 | 3,41,196 |

(a) Entirely from Japan.

Prices of Rice and Paddy at different centres in Madras. (Last week of each month.)

In Rupees per maund = 82 2/7 lbs.

| | Coramanda Boiled (Madras City). | | | Rangoon raw broken A (Madras City). | | | Rangoon Millchar (Calcutt). | | | Rangoon raw broken rice (Calcutt). | | | Raw rice Rangoon (Cochin). | | Siam A Special (Ex-duty) (Cochin). | | Saigon Paddy at Uddalore. | |
|-------------------------|------------------------------------|-------|-------------------------|---|-------|-------------------------|--------------------------------|-------|-------------------------|--|-------|-------------------------|-------------------------------|-------------------------|---------------------------------------|-------------------------|------------------------------|---------------------|
| | 1933. | 1934. | 1935. | 1933. | 1934. | 1935. | 1933. | 1934. | 1935. | 1933. | 1934. | 1935. | 1933. | 1934. | 1933. | 1934. | 1933. | 1934. |
| April | 3.01 | 2.88 | 3.55 | 2.55 | 2.18 | 3.21 | 2.41 | 2.54 | 3.53 | 2.55 | 2.25 | 3.04 | 2.32 | 2.26 | 3.32 | 2.42 | 3.38 | Not avail- able. |
| May | 3.14 | 2.94 | 3.48 | 2.77 | 2.16 | 3.23 | 2.48 | 2.66 | 3.41 | 2.35 | 2.25 | 2.97 | 2.51 | 2.26 | 3.17 | 2.03 | 3.34 | ... |
| June | 3.07 | 2.94 | 3.41 | 2.59 | 2.40 | 3.26 | 2.66 | 2.66 | 3.47 | 2.55 | 2.16 | 3.09 | 2.60 | 2.38 | 3.34 | 2.22 | 3.38 | ... |
| July | 3.01 | 2.94 | 3.48 | 2.67 | 2.55 | 3.30 | 2.73 | 2.73 | 3.59 | 2.59 | 2.25 | 3.34 | 2.51 | 2.58 | 3.37 | 2.37 | 3.46 | 2.41 |
| August | 3.07 | 3.39 | 3.60 | 2.79 | 3.03 | 3.35 | 2.73 | 2.73 | 3.50 | 2.50 | 2.30 | 3.21 | 2.51 | 3.01 | 3.18 | 2.70 | 3.30 | 2.25 |
| September | 3.01 | 3.51 | 3.28 | 2.64 | 2.84 | 3.22 | 2.85 | 3.09 | 3.56 | 2.64 | 2.59 | 3.34 | 2.38 | 2.82 | 3.23 | 2.34 | 3.29 | 2.22 |
| October | 2.94 | 3.39 | 3.54 | 2.57 | 2.72 | 3.30 | 2.85 | 3.09 | 3.65 | 2.40 | 2.64 | 3.43 | 2.41 | 2.88 | 3.32 | 2.27 | 3.35 | 2.19 |
| November | 2.94 | 3.26 | 3.41 | 2.55 | 2.84 | 3.22 | 2.85 | 3.03 | 3.34 | 2.40 | 2.40 | 3.01 | 2.58 | 2.76 | 3.20 | 2.27 | 3.33 | 2.15 |
| December | 2.94 | 3.02 | 3.09 | 2.32 | 2.84 | 3.00 | 2.73 | 2.79 | 3.40 | 2.40 | 2.55 | 3.04 | 2.51 | 2.70 | 3.51 | 2.42 | 3.36 | 2.03 |
| January | 3.29 | 3.01 | 3.10 | 2.91 | 2.25 | 3.42 | 3.03 | 2.73 | 2.66 | 2.84 | 2.20 | 2.89 | 2.88 | 2.51 | 2.91 | 2.51 | 2.99 | Not avail- able. |
| | | | | | | | | | | | | | | | | | | |
| 3.47 (January 1936). | | | 3.09 (January 1936). | | | 3.40 (January 1936). | | | 2.98 (January 1936). | | | 3.01 (January 1936). | | 3.09 (January 1936). | | 1.93 (January 1936). | | |

Seth Govind Das: How long will Government take to reach at some definite conclusion in this matter?

The Honourable Sir Muhammad Zafrullah Khan: I am unable to say at this stage, but they are pursuing the matter as fast as they can.

Prof. N. G. Ranga: Are Government aware of the fact that within the last week there were large imports of rice into the Bombay market, and, as a result of that, the price of rice in Bombay as well as in Delhi has been very much depressed?

The Honourable Sir Muhammad Zafrullah Khan: I made a detailed statement the other day with regard to that in answer to a short notice question.

DISSATISFACTION OF MADRAS PEASANTS ON THE INADEQUATE IMPORT DUTY ON BROKEN RICE.

710. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact that the peasants of the Madras Presidency expressed, when they marched to the Collectors' Offices on the 21st of November and on the 7th of December, their dissatisfaction with the inadequate import duty on broken rice, and have demanded the increase of that import duty and its extension to paddy and rice also?

(b) If so, what action do Government propose to take to help and satisfy the peasants?

The Honourable Sir Muhammad Zafrullah Khan: (a) From the information at the disposal of Government it would appear that a body of 200 peasants accompanied by Mr. Satagopachariar and the Honourable Member himself made such a representation to the Collector of Tanjore.

(b) The question of the duty on rice is at present receiving the consideration of Government.

Prof. N. G. Ranga: Are Government aware of the fact that these marches have taken place in 22 districts and in 88 places, and at all these places thousands of peasants have asked for the extension of this import duty to paddy and rice also?

The Honourable Sir Muhammad Zafrullah Khan: I am not specifically aware of the fact, but I am prepared to take it from the Honourable Member that such marches have been organised.

Prof. N. G. Ranga: Have Government tried to collect information from the Madras Government, since this question was given notice of, as to the real state of things?

The Honourable Sir Muhammad Zafrullah Khan: Government are trying to collect all relevant facts bearing on this question, in order to

RESULTS OF INVESTIGATIONS INTO THE COST OF CULTIVATION OF DIFFERENT CROPS.

711. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) when they propose to publish the results of the investigations carried on during the last few years by the Imperial Council of Agricultural Research into the cost of cultivation of different crops in different provinces; and
- (b) the reason for the delay in publication?

Sir Girja Shankar Bajpai: (a) Consideration of the question of publication will be taken up when the investigation is complete.

(b) As the investigation covers a period of about 3½ years it is expected that the collection of primary data will be finished by about September, 1936, but checking and compilation will occupy some time more.

Prof. N. G. Ranga: How much more time?

Sir Girja Shankar Bajpai: That I cannot say, Sir,

Mr. M. Ananthasayanam Ayyangar: May I know if the cost of cultivation of sugar-cane in the Madras Presidency has been arrived at?

Sir Girja Shankar Bajpai: The two crops with which they are experimenting are cotton and sugar-cane.

Prof. N. G. Ranga: Will it take another three years and six months to publish the results of the investigations?

Sir Girja Shankar Bajpai: My Honourable friend need not be so gloomy.

TRADE NEGOTIATIONS WITH THE REPRESENTATIVES OF THE AUSTRALIAN GOVERNMENT.

712. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) what stage has been reached by their trade negotiations with the representatives of the Australian Government;
- (b) what were the imports and exports which were being considered in those negotiations;
- (c) what Indian interests were consulted by Government;
- (d) whether the peasants were consulted at all; and
- (e) whether Government will consult this House before coming to any agreement with the Australian Government?

The Honourable Sir Muhammad Zafrullah Khan: (a) There have been no negotiations between the Government of India and representatives of the Australian Government.

(b) to (e). Do not arise.

Prof. N. G. Ranga: Is it not a fact that certain representatives of the Australian Government interviewed the Honourable the Commerce Member recently?

The Honourable Sir Muhammad Zafrullah Khan: I do not know exactly whether they were representatives of the Australian Government, but certain representatives of Australian Commerce, who visited the country lately, called on me.

Prof. N. G. Ranga: What were the representations made by them to the Honourable the Commerce Member? What was the nature of the conversations he had with them?

The Honourable Sir Muhammad Zafrullah Khan: They made no particular representations to me.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable the Commerce Member aware that the Australian Government imposes a prohibitive duty on coir and mats which are sent from the South of India?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir, I am not aware of it.

Mr. J. Ramsay Scott: Was not one member of the deputation a member of the Department of Commerce of Australia?

The Honourable Sir Muhammad Zafrullah Khan: He may have been, I do not remember details.

Mr. J. Ramsay Scott: Will the Honourable Member take it from me that he was?

The Honourable Sir Muhammad Zafrullah Khan: I have no reason to doubt the Honourable Member's statement.

CONCESSIONS GRANTED TO MILITARY TRAFFIC ON RAILWAYS.

713. ***Prof. N. G. Ranga:** Will Government be pleased to state (i) the special concessions granted on railways to the military traffic in men and luggage, and (ii) the estimated cost of such concessions?

The Honourable Sir Muhammad Zafrullah Khan: I would refer the Honourable Member to the reply given on the 7th February, 1936, to Seth Govind Das's question No. 150.

TOUR IN SALOONS BY RAILWAY OFFICERS.

714. ***Prof. N. G. Ranga:** Will Government be pleased to state (i) which officers of the Railways are permitted to tour in saloons; (ii) the special reasons for placing saloons at their disposal; (iii) the mileage covered by these saloons during the last year; (iv) the estimated cost of running such saloons; and (v) the estimated savings accruing to the railways if only first class free passes are granted to such officers?

The Honourable Sir Muhammad Zafrullah Khan: (i) All Gazetted officers on State-managed Railways and officers of corresponding rank on Company-managed Railways, and also certain subordinate supervising officials.

(ii) Saloons are essential for the efficient discharge of their duties, which frequently necessitate their travelling by goods trains, changing at junctions at inconvenient hours, stopping at stations at which there are no rest houses or other suitable accommodation, and inspection *en route* of signals, station yards, etc., work which cannot be done when travelling in an ordinary railway carriage.

(iii) to (v). The information is not available and its compilation would involve more time and labour than would be commensurate with any use to which it could be put.

Mr. S. Satyamurti: May I ask one question? Why does he think that the computation of the estimated cost of running such saloons will not be useful to him in dealing with railway finance, especially in view of what he said yesterday that every little helps? Will he, therefore, be good enough to compute the estimated cost of keeping and running such saloons?

The Honourable Sir Muhammad Zafrullah Khan: Without computing the cost, I am perfectly certain that, if these saloons were discarded and these officers were asked to travel by ordinary first class or second class carriages, as the case might be, they would certainly not be able to perform their duties within the time in which they now perform them, and it would be necessary to add to the staff, and this will cost a great deal more than the amount it now costs to run these saloons.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DEVOTION OF THE RURAL DEVELOPMENT FUND TOWARDS FACILITIES FOR THE DEPRESSED CLASSES.

715. ***Prof. N. G. Ranga:** (a) Are Government aware that no special mention is made in the Government report upon the Rural Development Fund of the desire of Provincial authorities, excepting those of Bihar and Orissa and Madras, to devote any portion of this fund to the provision of any facilities for the depressed classes?

(b) If so, are Government prepared to consider the advisability of directing the Local Governments to devote appreciable portions of the funds set apart for water-supply, sanitation, tanning, coir-making and other industries, drainage facilities and village welfare, and also of the District Magistrates' discretionary funds, for the benefit of the depressed classes?

The Honourable Sir James Grigg: (a) I am sure the Provincial Governments will take into account the needs of the depressed classes. The mere fact that these classes have not been specifically mentioned by some of the Provinces does not necessarily mean that their needs will be ignored.

(b) The Government of India must leave this to the discretion of the Local Governments.

Prof. N. G. Ranga: Is it not the view of the Government of India that definite instructions should be issued to Local Governments that a satisfactory portion of the Rural Development Grant should be spent upon the improvement of these facilities for the depressed classes?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of opinion.

The Honourable Sir James Grigg: That is the question I have already answered.

EXPENDITURE OF THE RURAL DEVELOPMENT GRANT IN THE PROVINCES.

716. *Prof. N. G. Ranga: (a) In view of the fact that Government wish to see that the sums placed at the disposal of the District Magistrates in Bengal are "to be spent only on supplementary projects within the intention of the Crore Grant" and that the direction in which such funds should be spent in Madras, Burma, Central Provinces and North-West Frontier, is indicated in the Government report, do Government propose to see that similar conditions are imposed upon the discretion of the District Magistrates or Commissioners in other provinces also?

(b) Will Government state whether any funds are usually placed at the disposal of the District Magistrates, apart from the contributions from the Rural Development Fund? If so, on what objects have they been generally expending such sums?

(c) Are Government aware that the District Magistrates in Madras Presidency have in many places made handsome grants to the founding of tennis clubs and such other institutions, catering for the convenience of urban middle classes?

(d) Do Government propose to confine the expenditure in Madras Presidency of the discretionary grants to the six items mentioned on page 5 of the Government Report on the Rural Development Grant?

The Honourable Sir James Grigg: (a) and (d). The Government of India have no reason to believe that sums placed at the disposal of District Magistrates out of the crore grant are spent, or are intended to be spent, on objects other than those for which the crore grant was made. They, therefore, see no need for further instructions.

(b) and (c) The Government of India are aware that certain Provincial Governments place discretionary grants in the hands of certain local officials. It is for Provincial Governments to control their disbursement.

Seth Govind Das: Do Government think it advisable to instruct these Provincial Governments to ask their District Magistrates to take the public opinion also before they spend these sums?

The Honourable Sir James Grigg: To the best of my knowledge, most of the Provincial Governments placed their proposals for spending these grants before the Legislatures of their provinces.

Prof. N. G. Ranga: In view of the fact that, in the report published by the Government of India, it was stated quite clearly on what objects the Collectors in Madras, Burma, the Central Provinces and the North-West Frontier Province should spend these discretionary grants, could not Government consider the advisability of issuing similar instructions to the Collectors in the other provinces?

The Honourable Sir James Grigg: The Government of India did not issue instructions in the case of Madras, or the other provinces mentioned in the Honourable Member's question.

SUBSIDIES TO SEED STORES IN THE UNITED PROVINCES.

717. ***Prof. N. G. Ranga:** In regard to the proposed subsidies to "privately managed seed stores" and "local retail shops" in order to distribute improved seed and, "to induce them to sell articles of local manufacture" in the United Provinces, are Government prepared to give these subsidies from out of the Crore Grant to *swadeshi* shops, or the shops maintained by the All-India Village Industries Association, or the All-India Spinners Association or the Co-operative Stores or Co-operative Credit Societies, wherever such stores are prepared to carry out these functions?

The Honourable Sir James Grigg: The Government of India do not propose to interfere with the discretion of the Local Government in the matter.

Prof. N. G. Ranga: Will the Government of India please consider the advisability of bringing to the notice of other Provincial Governments this attempt being made by the United Provinces Government in giving subsidies to *swadeshi* shops?

The Honourable Sir James Grigg: I do not wish to overrate the interest which the outside world takes in these questions, but surely the fact that Honourable Members have asked questions will come to the notice of the Local Governments concerned.

Prof. N. G. Ranga: Will it be brought to the notice of Local Governments?

The Honourable Sir James Grigg: I think the fact that the Honourable Member has asked a question will be sufficient notice to the Governments concerned.

Mr. M. Ananthasayanam Ayyangar: May I know if any kind of scrutiny is exercised by the Central Government as regards the way in which the moneys are spent, if really the moneys are spent at all?

The Honourable Sir James Grigg: If the Honourable Member means by scrutiny whether we keep in touch with the Provinces by means of inspection in order to see that the money is spent properly, the answer is in the negative.

Prof. N. G. Ranga: Do Government receive any periodical reports?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

ENTRUSTING OF VILLAGE COMMUNICATION AND OTHER PUBLIC UTILITY FUNDS TO LOCAL BOARDS OR COUNCILS.

718. ***Prof. N. G. Ranga:** Will Government state why the funds for the development of village communications in Bihar and Orissa for rural water-supply, village roads, and village sanitation in Assam, are proposed to be

administered by the District Magistrates, instead of the Local Boards, which are availed of for the purpose in the Madras Presidency and whether Government propose to consider the advisability of entrusting this work to the Local Boards or Councils, subject to the supervision of the District Magistrates?

The Honourable Sir James Grigg: The Government of India do not propose to interfere with the discretion of Local Governments in this matter.

EXPENDITURE OUT OF THE RURAL DEVELOPMENT GRANT.

719. *Prof. N. G. Ranga: Will Government be pleased to give an account of expenditure so far made on different aspects of rural reconstruction by the various provinces out of the Crore Grant and to state whether any, and if so which, provinces have spent what sums in the various directions in which the Crore Grant has been utilised in order to supplement the work made possible by the Crore Grant?

The Honourable Sir James Grigg: Provincial Governments have been requested to send a report by the beginning of March showing the progress of schemes financed from the Crore grant. The expenditure to be incurred from provincial revenues to supplement the work is a matter within the discretion of Local Governments, and the Government of India do not consider it necessary to call for any information on this point.

OVERCROWDING IN THIRD CLASS CARRIAGES ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

720. *Prof. N. G. Ranga: (a) Will Government be pleased to state:

- (i) if they are aware of the fact that considerable congestion and overcrowding are experienced by third class passengers on Madras and Southern Mahratta Railway between Nellore and Samalkot, Cumbum and Machilipatam, converging on Bezwada during the paddy transportation and harvesting seasons (*i.e.*, July-August, December-January) owing to the movements of large masses of labour to and from the paddy-raising tracts;
- (ii) whether no steps are being taken to increase the accommodation; and
- (iii) if so, whether special workmen's trains, if possible and whenever necessary, will be run and additional third class carriages attached to all trains during these seasons?

(b) Are Government aware of the fact:

- (i) that during the paddy transportation and harvesting seasons in the Andhra Districts large numbers of workers including women and children move to and from the dry tracts;
- (ii) that no steps are taken at any of the Railway Junction Stations (Tenali, Bezwada, Samalkot, Nidadavote) to provide special and adequate waiting room and water-supply facilities for those thousands of workers;

- (iii) that this want of attention on the part of the Railway authorities to the ordinary needs of the workers has forced them to stay for a day or two on the canal banks in hot sun without any shelter or privacy and cook their food;
- (iv) that this failure of the Railway authorities has often been resulting in the outbreak of cholera, etc., owing to congested living of workers in the open and on the dirty canal banks and the drinking of the muddy and polluted canal water; and
- (v) if so, whether suitable and special waiting room accommodation and water-supply and latrine conveniences will be provided to these workers during the agricultural seasons at the railway junctions?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I am not aware of the facts to which the Honourable Member refers but I shall convey the suggestions in his question to the Agent, Madras and Southern Mahratta Railway, for his consideration.

RECRUITMENT OF ENGINEERS, SUB-ENGINEERS AND ENGINEERING SUPERVISORS ON RAILWAYS.

721. *Prof. N. G. Ranga: Will Government be pleased to state:

- (i) the method of recruitment now availed of for appointing Engineers, Sub-Engineers, Engineering Supervisors in the Railways;
- (ii) how many of such officers are annually recruited for the State Railways;
- (iii) whether they have considered the question of recruiting them in the order of merit from among the candidates, who annually appear for the I. R. S. examination conducted by the Public Services Commission, in view of the fact that as many as 200 fully qualified engineers appear at that examination, held to recruit only six Engineers; and
- (iv) whether they are prepared to consider the advisability of announcing their intention of recruiting new entrants into the subordinate services also on an All-India basis through the competitive examination in November next?

The Honourable Sir Muhammad Zafrullah Khan: (i) Recruitment to the Indian Railway Service of Engineers for the State-managed Railways is made in accordance with the recruitment regulations in force from time to time. A copy of the recruitment regulations issued in April, 1935, is in the Library of the House.

As regards the recruitment to subordinate services I would refer the Honourable Member to the rules for recruitment and training of subordinate staff on State-managed Railways, a copy of which is in the Library of the House.

(ii) The total number of officers recruited to the Indian Railway Service of Engineers during the years 1934-35 was five. The same number is being recruited in 1935-36 but the number to be recruited in future depends on the vacancies to be filled from time to time.

As regards the subordinate engineering establishment Government have no information as the matter is within the competence of Agents of State-managed Railways and recruitment is made direct by them.

(iii) and (iv). Government do not consider it practicable to centralise recruitment to subordinate Railway services on an all-India basis.

RESUMPTION OF HALF ANNA POST CARD AND ONE ANNA ENVELOPE.

722. *Prof. N. G. Ranga: Will Government be pleased to state:

- (i) the number of post cards purchased by the public and the revenues derived therefrom one year before and ever since the price of a post card was raised from six pies to nine pies;
- (ii) similar figures for the sale of the one and a quarter anna envelope and one anna envelope;
- (iii) whether it is not a fact that the total revenues from the post-card traffic and the combined one anna and anna and quarter anna traffic are (a) less than in the past, and (b) not even as high as was anticipated;
- (iv) whether they are aware of the general public demand for the resumption of half anna post-card and one anna envelope; and
- (v) what the estimated gain or loss to Government will be, if such a reduction in rates is made, and if due allowance is made for the resulting increase in traffic and revenues?

Mr. E. M. Jenkins: No separate account is maintained of the number of embossed post cards or embossed envelopes purchased by the public or of the revenue derived from them. The large quantities of cards and envelopes of private manufacture which are used make it impossible to give the Honourable Member accurate information in reply to his questions. Such figures as it is possible for me to give must be taken subject to this caution.

(i) The post card rate was raised from $\frac{1}{2}$ anna to $\frac{3}{4}$ anna from the 15th December, 1931. The number of embossed post cards issued from treasuries to post offices during the year 1930-31 was 398.5 millions and their value was 124.5 lakhs. The corresponding figures for subsequent years were:

| | No. | Value in rupees. |
|-------------------|----------------|------------------|
| 1931-32 | 289.9 millions | 91.9 lakhs. |
| 1932-33 | 273.7 " | 128.2 " |
| 1933-34 | 271.3 " | 127.2 " |
| 1934-35 | 251.4 " | 117.8 " |

(ii) The $1\frac{1}{4}$ anna embossed envelope was introduced from the 15th December, 1931, and the one anna envelope from the 1st April, 1934. The issues of embossed envelopes from treasuries and their value, excluding the surcharge intended to cover the cost of manufacture, were:

| | No. | Value in rupees. |
|-------------------|---------------|------------------|
| 1930-31 | 92.5 millions | 57.8 lakhs. |
| 1932-33 | 33.9 " | 26.5 " |
| 1933-34 | 32.3 " | 25.2 " |
| 1934-35 | 52.6 " | 34.2 " |

(iii) No separate account of the revenue derived from the post card traffic and the letter traffic in the one anna and one and a quarter anna category is maintained. I regret I am not, therefore, in a position to reply to the Honourable Member's question. The total estimated volume of the post card and letter traffic in different years is given in the Annual Report of the Director-General for the year 1934-35, a copy of which is in the Library of the House.

(iv) Government are aware that there is a demand for a reduction in the postage rates on post cards and letters.

(v) I would refer the Honourable Member to the debates in this House on the 3rd of April, 1935.

Mr. President (The Honourable Sir Abdur Rahim): In the opinion of the Chair, in future, a statement like that need not be read out, but should be laid on the table of the House.

Seth Govind Das: How much will it cost if separate accounts for post cards traffic and envelope traffic are kept?

Mr. E. M. Jenkins: I shall require notice of that question.

EXPERIMENTAL VILLAGE POST OFFICES.

723. *Prof. N. G. Ranga: Will Government be pleased to state:

- (a) the number of experimental village Post Offices that are now working in different provinces;
- (b) the number of those opened since last April;
- (c) whether they have any programme for establishing any such additional offices during the next five years;
- (d) if so, how many per annum; and
- (e) whether they are prepared to raise the upper limit of permissible loss on a village Post Office?

Mr. E. M. Jenkins: (a) and (b). Figures relating to different provinces are not readily available, but a statement giving the information for the different postal circles is laid on the table of House and it is hoped that this will meet the Honourable Member's requirements.

(c) and (d). Government have not laid down any definite programme for the opening of a fixed number of new post offices in the next five years; but such offices will be opened according to the public needs and the funds that are available for the purpose.

(e) The question of raising the permissible limit of loss in the case of individual post offices is under the consideration of Government.

Number of experimental Village Post Offices.

| Name of Postal Circle. | Number existing on 31st January, 1936. | Number opened since last April. |
|--|--|---------------------------------|
| Bengal and Assam | 20* | 19* |
| Bihar and Orissa | 14 | 15 |
| Bombay | 38 | 30 |
| Burma | 17 | 9 |
| Madras | 50 | 43 |
| Punjab and North-West Frontier | 51 | 37 |
| Central Circle | 10 | 9 |
| United Provinces | 8† | 7† |
| Sind and Baluchistan | 10 | 11 |

* In addition to these offices orders have been issued to open 12 more offices in February 1936.

† In addition to these offices, orders have been issued to open 19 more offices.

Prof. N. G. Ranga: Out of the 400 experimental post offices that were promised to be opened during this year, how many have been established so far and how many more have to be established?

Mr. E. M. Jenkins: The number of post offices opened since 1st April, 1935, is included in the statement that is being placed on the table of the House. I regret that the figures have not been totalled; but the total will be clear from the statement.

PROBLEMS FACING SHIPPING AT THE ALLEPPEY PORT.

724. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- whether they have perused the pamphlet published by the Alleppey Chamber of Commerce on the problems facing shipping at that Port;
- whether they have considered the representations made therein; and
- whether they propose to take any action thereon; if so, what; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Yes.

(c) Government do not propose to take any action in the matter.

Mr. S. Satyamurti: Did they ask for any information from the shipping interests concerned, before they made up their minds not to take any action?

The Honourable Sir Muhammad Zafrullah Khan: No, they did not; but they do not see what action they can possibly take to relieve the situation.

Mr. S. Satyamurti: Have Government considered that these Indian shippers have no grievances at all? Have they come to any such conclusion?

The Honourable Sir Muhammad Zafrullah Khan: No: I have not said that they have no grievances or that they do not suffer any inconveniences: but after considering the pamphlet I do not see what action Government can usefully take in the matter: Government, therefore, do not propose to take any action.

Mr. S. Satyamurti: Will Government bring this to the notice of the various shipping companies there, so as to avoid these complaints in future?

The Honourable Sir Muhammad Zafrullah Khan: I have not the slightest doubt that, having regard to the state of coastal shipping, any kind of complaint with regard to lack of shipping at a particular port would be eagerly met by the companies themselves.

FILM PROPAGANDA AGAINST INDIA IN FOREIGN COUNTRIES.

725. ***Mr. S. Satyamurti:** (a) Will Government be pleased to state whether they have perused the communication of Mr. Subash Chandra Bose from Vienna, published in the *Bombay Chronicle* regarding film propaganda against India in foreign countries?

(b) Have Government taken, or propose to take action, as suggested therein?

(c) Do Government propose to make representations to the Committee for Intellectual Co-operation of the League of Nations on this and allied matters?

The Honourable Sir Henry Craik: (a) and (b). I have seen the Press report in question and, in accordance with the assurance given by me on the 16th September last, in the concluding portion of my answer to Dr. Banerjee's question No. 377, will take such steps as are possible to stop the exhibition of such films regarding India if the Honourable Member will furnish me with further particulars about them.

(c) I am considering these suggestions.

Mr. S. Satyamurti: With reference to the answer to clause (c), may I know if Government are considering the question, apart from prohibiting the entry of such films within the British Commonwealth of Nations, of prohibiting them in other countries through the machinery of the League of Nations?

The Honourable Sir Henry Craik: I have said that I am considering that suggestion.

INDIANS IN IRAQ.

726. ***Mr. S. Satyamurti:** Will Government be pleased to state:

(a) whether they have perused the accompanying communication from Basrah regarding Indians in Iraq;

- (b) whether they have made any enquiries and what the result of those enquiries is; and
- (c) whether they propose to take any action to protect the interests of Indians in Iraq?

Sir Aubrey Metcalfe: (a) Yes.

(b)–(c). The Honourable Member's attention is invited to the statement made by me on the floor of the House on the 4th February, 1936, in connection with the adjournment motion moved by Mr. Datta relating to the position of Indians in Iraq. Since then the position has not undergone any change.

HEALTH PROBLEM OF THE EMPIRE AND INDIA.

727. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they have perused the speech of Mr. Hingorani on "Health Problem of Empire and India";
- (b) whether they have considered the points raised by him and whether they propose to take any action thereon; and
- (c) whether they have under consideration any scheme for improving the health of the people?

Sir Girja Shankar Bajpai: (a) Yes.

(b) and (c). Mr. Hingorani's suggestions, which bear on the improvement of the health of the people, fall within the scope of action of Local Governments.

Mr. S. Satyamurti: I ask Government why they keep up these central departments and the Director of Public Health if, every time a question is asked, they say it is the concern of the Provincial Governments.

Sir Girja Shankar Bajpai: The Public Health Commissioner with the Government of India has certain co-ordinating functions which I can explain to the House: but he cannot interfere with the administration of Public Health in the provinces.

Mr. S. Satyamurti: Is not one of these co-ordinating functions—whatever that phrase may mean—to bring to the notice of Local Governments suggestions for the improvement of the health of the people which are made by people who can talk with authority on such subjects?

Sir Girja Shankar Bajpai: My Honourable friend wished to know whether the Government of India were intending to take any action. If his wish is that Mr. Hingorani's speech should be forwarded to Local Governments I am prepared to comply with that.

Mr. S. Satyamurti: I may suggest more respectful attention to the question; the question is this:

"(c) whether they have under consideration any scheme for improving the health of the people."

It does not mean that they should carry out any scheme: my suggestion is that they should forward this scheme to the authorities who can carry out the scheme and my question is, have Government considered this scheme, and, if they consider it good, will they send it on to the Local Governments, and whether they will help the Local Governments at all?

Sir Girja Shankar Bajpai: My answer which was, if I may venture to say so, framed with respectful regard to the question of my Honourable friend—that was the phrase he used—is perfectly sound: all that it says is that this is a matter for Local Governments. If my Honourable friend wishes us to undertake an academic consideration of schemes of this kind, that does not carry us very far, does it?

Mr. S. Satyamurti: May I know what are the duties of the Director of Public Health? Is it not one of his duties to examine schemes for improving the health of the country, and, if he considers them sound, to send them on to Local Governments? Is he doing that?

Sir Girja Shankar Bajpai: No. It is not the function of the Public Health Commissioner with the Government of India to examine every public health scheme.

Mr. S. Satyamurti: Does he examine any public health scheme at all?

Sir Girja Shankar Bajpai: Any public health scheme that the Government of India are undertaking themselves, or which may be referred to the Government of India for advice by the Local Governments.

Mr. S. Satyamurti: May I take it, therefore, that the Government of India never take the initiative in addressing Local Governments on all India problems, affecting the health of the people?

Sir Girja Shankar Bajpai: That would be perhaps too wide a statement.

Mr. S. Satyamurti: What is the narrow statement?

Sir Girja Shankar Bajpai: The narrow statement is that ordinarily the Government of India leave the initiative to Local Governments.

Mr. S. Satyamurti: To do nothing?

(No answer.)

ALLEGATIONS FROM THE GENERAL SECRETARY OF THE RAILWAY WORKER'S ASSOCIATION, MORADABAD.

728. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether their attention has been drawn to the allegations contained in the letter from the General Secretary of the Railway Workers' Association, Moradabad, dated the 14th November, 1935;
- (b) whether they have examined the complaints mentioned therein, and what the result of that examination is;

- (c) whether they have taken or will take any step to put down the corruptions, if found to exist;
- (d) the reasons why the Association has not been recognised by the Railway Administration; and
- (e) whether Government propose to take steps to remove the grievances mentioned therein?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (e). The allegations are of a very sweeping nature: there is a history behind them. Government regret their inability to make enquiries into such sweeping allegations.

(c) Government have no reason to believe that corruption is rampant as alleged. Government invariably take action in any specific cases of corruption that come to their notice.

(d) Government understand that the Workers' Association is of recent origin but the question of its recognition is under the consideration of the Agent, East Indian Railway.

Mr. S. Satyamurti: Do I understand the Honourable Member to say that, unless a complainant brings forward full evidence from A to Z satisfying the Government that the man is guilty, they will make no inquiries at all?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir; the allegations must be specific, and such facts must be cited as to indicate a *prima facie* case into which an inquiry might usefully and profitably be made.

Lieut.-Colonel Sir Henry Gidney: Is the Honourable Member aware of the fact that this Association has repeatedly addressed the Agent of the East Indian Railway for recognition and its efforts have proved futile?

The Honourable Sir Muhammad Zafrullah Khan: I am not aware of that fact.

INDIANS IN IRAQ.

729. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have perused the accompanying letter on "Indians in Iraq"; and
- (b) whether they have examined the allegations contained therein; and if so, what the result of the examinations is; and what action, if any, they propose to take thereon?

Sir Aubrey Metcalfe: (a) Yes.

(b) The Honourable Member's attention is invited to answer given by me to parts (b) and (c) of his question No. 726.

SHORT NOTICE QUESTIONS AND ANSWERS.

NEXT ELECTIONS FOR THE COUNCIL OF STATE.

Pandit Nilakantha Das: Will Government be pleased to state:

(a) when they propose to hold elections to the Council of State and when they propose to dissolve the same;

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(b) whether they propose to create a separate constituency in the next elections for the Council of State for the Orissa Province; if not, why not; and

(c) whether a separate constituency is being provided for Orissa by an Order in Council, which is just being placed before the Parliament; if not, why not?

The Honourable Sir Nripendra Sircar: (a) The general election to the Council of State will be held shortly after the expiration of the life of the Council which has been extended up to the 10th June, 1936.

(b) and (c). The Honourable Member is referred to Article 21 of the Government of India (Constitution of Orissa) Order, 1936, the effect of which, subject to the proviso to rule 4 of the Council of State Electoral Rules, is, that until those rules are amended by competent authority all relevant constituencies will retain their existing territorial extent, and no new constituencies will be created. Government have, after careful consideration, reached the conclusion that considerable complication and no commensurate advantage would attach to a readjustment of constituencies in the light of the new provincial boundaries and they consequently do not propose to amend the Electoral Rules so as to alter the position created by the Order in Council. They are, however, considering whether they should use the powers conferred by the proviso to rule 4 of the Electoral Rules so as to divide the 3-Member Bihar and Orissa (Non-Muhammadan) Constituency into two constituencies comprising respectively the existing division of Orissa and the remainder of the existing province of Bihar and Orissa and returning respectively one and two members. The Honourable Member will, of course understand that it is only the period preceding Federation during which constituencies will overlap provincial boundaries.

Mr. B. Das: Is the Honourable Member aware that the province of Bihar and Orissa will get an additional Hindu seat whereby there will be four Members to the Council of State elected from Bihar, one Muslim and three Hindus? Will that not facilitate the Honourable Member's procedure which he described just now?

Mr. G. H. Spence: I don't follow the Honourable Member's reference to the Muhammadan constituency. The position is this. The non-Muhammadan constituency returns in rotation two and three Members. This time it will return three Members. The proposition under consideration is that, under the proviso to Rule 4, this 3-Member constituency, the non-Muhammadan constituency, should be divided into two constituencies, one comprising Bihar and returning two Members, and the other comprising Orissa and returning one Member. The one Member Muhammadan constituency cannot, in the nature of things, be divided into two constituencies returning half a Member each.

NOMINATED MEMBERS FOR THE ORISSA AND SIND LEGISLATIVE COUNCILS
DURING THE TRANSITION PERIOD.

Pandit Nilakantha Das: (a) Is it a fact that the draft Order in Council, regarding the transitional administration in Sind and Orissa, provide for advisory councils consisting of 25 and 20 members to be nominated by the respective Governors of Sind and Orissa during the transition period?

(b) Is it a fact that in the Government of India Act, 1935, the number of members fixed for the Legislative Councils, both in Orissa and Sind, is 60 each, and is it a fact that the population of Orissa is more than double that of Sind?

(c) If so, will Government be pleased to state the reasons for fixing 20 nominated members for the new province of Orissa against the quota of 25 nominated members fixed for Sind during transition period. Do Government propose to take immediate steps for moving His Majesty's Government to remedy this differential treatment to the two provinces? If not, why not?

(d) Will Government be pleased to state whether the Governor and his nominated Council will have the power to pass measures of legislation and if so, will such measures find a permanent place in the Statute Book?

(e) If not, what will be the period during which such measures will be enforced and what will be the procedure for the repeal of such laws when the provincial legislative councils are brought into existence?

(f) Are Government aware that at present the tracts of Sind and Orissa enjoy advantage of electing representatives to the Legislative Councils of Bombay and Madras and Bihar and Orissa? If so, will Government be pleased to state the reasons for denying that privilege to the inhabitants of those places as soon as such tracts are made into separate provinces?

(g) Will Government be pleased to state the reasons why the future Governors of the proposed provinces of Sind and Orissa should not be given the powers to devise some sort of elective methods for the election of members and from Legislative Councils during transitional period?

(h) Do Government propose to take immediate steps to move His Majesty's Government to include a definite provision in the draft Order in Council by which the Governors would be directed to adopt elective system in the selection of members for the transitory Councils in the two provinces in place of the nominated system suggested in the draft Order? If not, why not?

(i) Do Government also propose to take immediate steps to move His Majesty's Government to include definite provisions setting forth directions to the Governments in the matter of making legislative measures, etc., during the transition period?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) Yes. By "Legislative Councils" the Honourable Member presumably means "Legislative Assemblies".

(c) The maximum strength of the Advisory Council for Sind has been fixed with due regard to the number of members at present representing Sind in the Bombay Legislative Council, who will vacate their seats

on that Council when the new Province is created, and whom the Governor may nominate to the Advisory Council. Similarly the maximum strength of the Advisory Council for Orissa has been fixed with due regard to the number of members now representing the Orissa Division in the Bihar and Orissa Legislative Council and to the number of those now representing on the Madras Legislative Council areas which will be transferred to Orissa, who will vacate their seats when the Province of Orissa is created. Government see no reason why the strength so fixed for the two Provinces should be altered.

(d) No.

(e) The question does not arise.

(f), (g), and (h). The *interim* constitution for these Provinces will last only until the introduction of Provincial Autonomy. During this transitional period it will be essential for the two Governments to concentrate on administrative reorganisations consequent on their separation from their parent Provinces and to prepare the new Provinces for the advent of Provincial Autonomy. The interval before Provincial Autonomy is likely to prove none too long for the solution of administrative problems even if the whole attention of the new Governments is directed to this end. It is, therefore, not considered desirable to introduce a system of administration based on elective methods, during this transitional period.

(i) No.

Mr. B. Das: May I enquire if these nominated members of the Advisory Councils will still be styled as M.L.C.'s, or do they lose that title after Orissa is separated from Bihar and Sind is separated from Bombay?

The Honourable Sir Nripendra Sircar: I have not considered that point, but I do not see how they can be called M.L.C.'s. They may be called M.A.C.'s. (Laughter.)

Mr. B. Das: Does not that show that these gentlemen do not represent the interests of the people of Orissa or Sind, but that they are only nominated members, as there are nominated members on the other side of this House?

The Honourable Sir Nripendra Sircar: If it does show that, of course it shows that. If it does not, then it does not. (Laughter.)

Pandit Nilakantha Das: May I take it that they are there only to help in the reorganisation of the administration and for nothing else during this transition period?

The Honourable Sir Nripendra Sircar: I have nothing to add to the answer I have given.

Sir Muhammad Yakub: Will it be eligible for the present Members of the Legislative Assembly coming Bihar and Orissa and from the province of Sind to hold the post of a Minister in their own province during the transitory period, as well as to sit in the Legislative Assembly as Members of this Assembly? (Laughter.)

NOMINATIONS TO THE HOUSE COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that I have made the following nominations to the House Committee:

- (1) Dr. G. V. Deshmukh *vice* Mr. Deep Narayan Singh—deceased,
 - (2) Rai Bahadur Sir Satya Charan Mukherjee as an additional member.
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THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

[AMENDMENT OF SECTIONS 30, 34, 34A AND 35.]

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume consideration of the following motion moved by Sardar Sant Singh on the 18th February, 1936:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of sections 30, 34, 34A and 35), be circulated for the purpose of eliciting opinion thereon."

Mr. R. M. MacDougall (Burma: Nominated Official): Sir, this Bill proposes to make important changes in the administration of criminal justice, and, for that reason, when I received a notice of it, I turned to the Statement of Objects and Reasons expecting to find in it an analysis of the statistics of these Courts supporting the contention that special power magistrates dispose of their cases in an unsatisfactory way. I expected also to find reasoned arguments supporting the view that the proposals in this Bill were those best calculated to secure the objects which the Honourable Member has in view. I turned over to the next page and I found it blank. I turned over another page, and I found, across the middle of the page, half a dozen lines of very small print. With your permission, Sir, I shall read the Statement of Objects and Reasons.

"These provinces having acquired the status of Governor's province, such a discrimination shall no longer be permitted. The accused charged with serious offences are not satisfied with the trial held before magistrates who are especially empowered under these sections."

The House will notice that the Statement of Objects and Reasons stresses the dissatisfaction of the accused, not the dissatisfaction of the public:

"In most cases, the magistrates, in their zeal to show, what they term good disposal, hurriedly proceed with the trial, with the result that cool and calm consideration of the facts of the case is not possible as is actually the case in Sessions trials. As the administration is being reformed, it is desirable that standard of judicial administration be also raised in these provinces in order to inspire greater confidence in the Courts."

Incidentally, I note the implication that the standard of administration is going to be higher than that of the Courts, a compliment to the new Government of India Act, which we appreciate, coming as it does from a Member on the other side of the House. As the Statement of Objects and Reasons contains no objects and no reasons, I awaited with some interest the Honourable Member's speech on the second reading. I expected to find that in it he would supplement the deficiencies of the Statement of Objects and Reasons. Here, again, I was disappointed. We were favoured with a disquisition on the abstract desirability of separating

the judicial and executive functions, and we were treated to a diatribe directed against the conduct, character and general qualifications of certain unnamed magistrates in the Punjab. Facts and figures there were none; reasoned arguments there were none; in fact, in the words of an illustrious statesman of legendary reputation, there was nothing at all which would "add a touch of versimilitude to an otherwise bald and unconvincing narrative".

Now, Sir, when I refer to facts and figures, Honourable Members of this House will, I think, fully understand what I mean. We have on this side a good many Members who are magistrates. In other parts of the House, we have a good many gentlemen whose daily avocation it is to appear before the Courts. We are all familiar with the Indian Law Reports. We all know that, on the table of practically every Bar Room in the country, there are lying those hundreds of unofficial publications that contain the reports of "unreported" cases. Even the daily papers feature every case in which, if I may use such an expression, a High Court Judge lets himself go at the expense of any of the subordinate Courts. Consequently, if there really were all the abuses in the special power magistrates' Courts, which are presupposed by this Bill, the Honourable Member would not have had the slightest difficulty in finding scores of instances to back up his view. In actual fact, however, he has not quoted one single case; and that he has not done so may be ascribed to one of two reasons. Either he has searched through the reports in vain and found nothing which was sufficiently adapted to his purpose, or else he has not taken the trouble even to make any enquiry into the matter at all. Now, Sir, if the former is the explanation, the proper course would be for this House to reject this Bill without more ado. If the latter is the explanation, then the Honourable Member should take the permission of this House to withdraw it and not re-introduce it until he has provided himself with sufficient facts and figures to back up his case.

I turn now to the Bill itself, and the first point which I should like to draw attention to is the extremely paradoxical nature of the proposals. Let me explain a little more clearly what I mean. There is, as between cases tried by first class magistrates and cases tried in the special power magistrates' Courts, very little difference except as regards the seriousness of the offences tried. Whereas in the first class magistrates' Courts you have magistrates trying cases say, of simple hurt, cheating and house-breaking, you have in the special power magistrates' Courts cases of grievous hurt, criminal misappropriation and dacoity. The only difference between the two classes of cases is the seriousness of the offence. The offences tried in the special power magistrates' Courts are not in any way different in kind. The evidence that is tendered there is not more complicated than that offered before a first class magistrate, nor is the decision any more difficult to arrive at. In fact, there are many cases, once we go outside the province of the Indian Penal Code,—there are many cases in first class magistrates' Courts which are of very considerable difficulty. I can recall to mind a case under the Indian Electricity Act, for instance, which was tried by a magistrate in Rangoon some two or three years ago. The prosecution arose out of the death of an innocent passer-by who happened to catch hold of a stay-wire on a pole supporting the line joining the electric main belonging to the supplier and the installation of the consumer. The magistrate, a very junior first class magistrate, but a very capable magistrate, had to decide, in the first place, whether the

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live was a service line under the terms of the Act or the rules. He had also to decide whether, in view of the fact that although the switch was in a locked box, of which the key was in the possession of the electric supplier, the consumer was, in those circumstances, criminally liable or the supplier. He had then to decide whether in the event of recording a conviction, the supplier, namely, the company, should be convicted, or the company's employee whose personal responsibility it was to see that these installations were in thorough order. I mention this, though it is not strictly relevant to the present discussion, to show that first class magistrates very often have to try extremely difficult cases and that special power magistrates are not confronted with anything more difficult than you are likely to have in first class magistrate's Courts.

Moreover, many of the cases in special power magistrate's Courts are cases which, in the ordinary way, could be tried by almost any magistrate at all, were it not for the operation of section 75 of the Indian Penal Code. Perhaps I should explain for the information of Members of this House who are not familiarised, by their daily employment with the provisions of the Criminal Law, that section 75 is the section under which you have to prove the previous convictions of a habitual criminal before you can pass on him an enhanced sentence. These cases, therefore, are ordinarily sent to the special power magistrates, so that, once the previous convictions have been proved, the magistrate can forthwith pass the necessary enhanced sentence. Now, Sir, the paradox lies in this that, whereas reformatory action in penology generally proceeds by taking for its object, in the first instance, persons who have either stumbled accidentally into crime or who have yielded to crime under great stress, the Bill proposes to pick out precisely those persons who are accused of all except the most serious offences in the criminal calendar,—including also a number of persons who are, by the very nature of the case, habitual criminals,—and to confer on them what the Honourable Member regards as concessions. In other words, whereas the proverb used to read "You might as well be hanged for a sheep as for a lamb", the Honourable Member would amend it to read "Steal a lamb and get committed to jail; steal a sheep and half kill the shepherd, and get committed to Sessions".

Having complained that the Honourable Member in charge of this Bill did not bring in any facts and figures, it is incumbent upon me to avoid the risk of the same reproach. I have, therefore, worked out some figures relating to the Courts and made some estimates relating to the proposals embodied in the Bill. I propose now with your permission, Sir, to lay them before the House. I can speak of course with personal experience of only one province, namely, the province of Burma in which it is my privilege to serve, but I have no reason to suppose that conditions are any different elsewhere. In Burma, in the year 1934, there were 4,081 cases tried by special power magistrates and there were 128 magistrates who actually tried them. I have been unable to find separate figures for the duration of these cases, but I find that in the District Magistrates' Courts where, in addition to cases involving the exercise of special powers, there are good many cases tried under summary powers, the average duration was 30 days. I think, therefore, that we should be justified in assuming that the average duration of special power cases is not less than 30 days. Now, Sir, I cannot regard 30 days as showing that these cases are disposed of hastily. If it is not stretching the imagination too much I should

like to ask the House to picture the Honourable Member who is responsible for this Bill and myself jointly charged with an offence before one of these Courts. As we plodded along to the Court in the third or the fourth week of our detention, to receive the demi-semi-ante-penultimate instalment of our trial, I do not think that in our conversation we should dwell on the undue haste with which the magistrate was disposing of our case and, I think, that if we heard that his superior officers were doing their best to make him get on with the job quicker, we should be extremely thankful.

Now, Sir, a word as to the officers who preside over these Courts. It so happens that it was my privilege to be Registrar of the High Court of Judicature in Rangoon from early in 1923 to the middle of 1925, and I can speak from personal recollection of the way in which officers were selected for the conferment of special powers under section 80. In the first place, no officer was given special powers except on a recommendation from the High Court. Then too, the High Court laid down certain conditions which must be fulfilled. The first of these was that the officer must have not less than three years' experience as a first class magistrate. As Honourable Members are aware, there are many appointments, both in the civil judicial service and in the executive where an officer does not exercise any criminal powers at all. In such a case, the High Court insisted that the officer be transferred to a post where he would exercise his first class powers, for a sufficient period, to guarantee that he had recovered his knowledge of the Criminal Law and was capable of exercising criminal powers in important cases. The next step was to call for a batch of recent and serious cases tried by the magistrate. Not less than six were always called for and those were examined by one of the Honourable Judges of the High Court personally. It was not done by the Registrar or Assistant Registrar or anybody of that sort. It was done by one of the Honourable Judges personally. If he was satisfied, that the officer was fit for special powers, he said so and the Chief Justice, after reading through his notes on these cases and looking up the previous character of the officer concerned, made the recommendation. In that way, not only was it guaranteed that the officers, presiding over these Courts, were men with the necessary experience but also that they were men who had a particular aptitude for Criminal Law.

Now, Sir, as I explained earlier, there were 128 men presiding over Special Power Magistrates' Courts in the year 1934. Of that number, no less than fifty-five were members of the judicial service. These men all hope to become, not merely Assistant Sessions Judges, but District and Sessions Judges, and there is no doubt that most of them will achieve their ambition before many years have passed. Now, the experience which they gain in the trial of these important cases is going to be of immense value to them when they rise to the Sessions Court. I do not wish to stress that point, Sir; it is an incidental benefit. It is an important benefit, but I do not stress that; the point which I wish to stress is this: that, as members of the judicial service, not only are they under the judicial control of the High Court but they are under its administrative control as well. It is to the High Court that they look for advancement, and it is from the High Court that they take their instructions, and I can assure Honourable Members of this House that the instructions of the High Court are extremely stringent in the matter both of procedure and of the strictness of proof that the law of evidence requires. The remaining officers are admittedly members of the civil executive service, but, in

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the majority of cases, they are not holding executive posts; they are whole-time additional magistrates, and as their appeals go either to the Sessions Judge or, in many cases, direct to the High Court, they are not in any way under executive control. They look for their future promotion to the High Court and not to the executive and they regard themselves, and are regarded by the executive and police, as independent Criminal Courts, before which cases have to be completely proved according to the strictest rules of evidence.

Now, Sir, I have shown, first of all, that these proposals are unnecessary; that in these Courts, cases are not, as alleged, tried hurriedly; that the magistrates are not, as alleged, ignorant and ill-educated; and that they are not, as alleged, under executive influence. I should like now to show, by facts and figures, that the cost of carrying out the measures, which are embodied in this Bill, would be so enormous as to make them impracticable. I explained that in the year 1934 the number of cases tried was 4,031; that was comparatively speaking a low figure. In 1932 it was over 4,800. Now, I think Members of this House, who have experience of Courts, will agree with me that to try over four thousand cases by Sessions, you will require something like 30 Assistant Sessions Judges. That would mean 135 cases to each Court. I think I am right in saying that most Sessions Courts sit only five days a week for the trial of cases. Sunday is, of course, a holiday, and Saturday is spent on the various miscellaneous duties which have accumulated through the week: so that, there are available five days a week for fifty-two weeks, or 260 days a year. From that you will have to deduct holidays, which by custom in the case of Sessions Courts are longer than they are in the case of magistrates' Courts. I do not know exactly what is the figure for the number of days that these Assistant Sessions Judges sit in a calendar year but I doubt if it will exceed 220,—that is allowing 40 days apart from Saturdays and Sundays for public holidays, court holidays and gaps between the different Sessions. That is to say, there will be something less than two days for the trial of each case, and, in that time, the Sessions Judge has not only to hear the evidence for the prosecution and the evidence for the defence; he has to read very voluminous proceedings beforehand and he has to write the judgment after. I think, therefore, that it is reasonable to say that we should require at least 30 Sessions Courts. Now, these Courts would naturally be situated at the headquarters of the thirty busiest districts of the province. I can assure Honourable Members that there is no accommodation in the court houses in Burma now for additional courts of that nature. You will require a court-room, you will require a chamber for the judge, you will require an office room in which registers and library books and so forth can be kept and in which they can be kept locked up at night, you will require a room for keeping exhibits (which in Sessions cases are sometimes a little unsavoury) and you certainly require in Lower Burma, where there is extremely heavy rain for six months in the year, a room for the members of the Bar, to wait in when not actually in Court; I think Honourable Members on the other side of the House will agree with me in all this. I do not think we can provide that accommodation and furnish it with the requisite conveniences even on a modest and unpretentious scale for less than Rs. 25,000. Now, 30 courts at a cost of Rs. 25,000 each involves a capital expenditure of Rs. 7½ lakhs: and I can assure the House that the Province of Burma has not got that Rs. 7½ lakhs to pay its debts much less to spend on unnecessary Courts.

Even if, by the bounty of the Government of India or by some other miraculous method, we were to get the money required for these Courts, there is still large recurring expenditure which we should have to face. For 30 Sessions Courts we should require 30 Assistant Sessions Judges, and on some cadre or other we should have to carry a leave and training reserve for these men. Obviously they are not born possessed of the experience and training required to enable them to take their places on the Bench straight away. I estimate a reserve of four for that purpose. They will all be men of a certain seniority, middle seniority I suppose, and, I think, it would be reasonable to say that their salary would be somewhere in the neighbourhood of, certainly not less than, Rs. 500 a month, or Rs. 6,000 a year. Now for 34 men on Rs. 6,000 a year the cost is Rs. 2,04,000. Then each Court will have to have a clerk, whose pay would run to about Rs. 60 a month or Rs. 720 a year. 30 clerks would thus cost us Rs. 21,600. There are also other costs. Each Court will require one *chaprassi* and possibly two, it would also require additional process serving staff because you cannot undertake the trial of all these additional Sessions cases without having additional processes to serve. Each Court would require also to subscribe to the Indian Law Reports; it would require stationery; and it would require a very considerable sum for stamps and postage because, in Courts where appeals lie to the High Court, there is naturally very heavy expense on stamps for sending proceedings (which are often bulky) to the High Court. There is also other expenditure: thus, an officer may be transferred and another officer may be sent to take his place. I make no attempt to guess the cost of these items but I put them down at Rs. 1,000 in each Court annually. That is another Rs. 30,000. Now, I come to what is a very large item indeed and that is witness fees. I have explained that the number of cases in 1934 was 4,031 and that that is a lower figure than we have had for some years. I think it is reasonable to say that in 4,000 cases, you may expect 40,000 witnesses, or ten for each case,—that is five for the prosecution and five for the defence. I do not think that is an over-estimate; if anything it is an under-estimate. What would be the fees for these witnesses? I have explained that these Courts would be constituted at the headquarters of districts and as Honourable Members are aware, Burma is a large country of very large distances and very difficult communications. Witnesses coming into headquarters not only have a railway journey, or a bus journey or a taxi journey or something of the sort, but sometimes they will have also a couple of days journey by boat in Lower Burma or by cart in Upper Burma. The figure of Rs. 2-8-0 which I have allowed for each witness, is, therefore, a low figure, but even so, for 40,000 witnesses, we have to set apart another lakh of rupees. Thus on the judicial budget alone we have an increase in the cost amounting to Rs. 3,55,600 annually. That, however, is not the end of the story. If you are going to have 30 new Courts, there must be somebody to prosecute, and you therefore, require 30 new Court Prosecuting Officers. These are paid on the police budget and as they have to have legal qualifications as well as a certain seniority in the prosecution department of the police, I do not think you can expect them to come for anything less than Rs. 100 a month: that is Rs. 1,200 a year, thus making on the police budget another Rs. 36,000 annual expenditure. Moreover, these 30 new Courts will involve Court escorts, because you are going to have numerous prisoners tried there and there are not enough men available now to take these

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men to the Courts unless you increase the staff. Again, you are going to have prisoners brought in from distant out-stations to headquarters to stand their trial at the Sessions. I estimate that we would require something between three and six men in each district, head constables and constables. For 30 such Courts, therefore I do not think it is an over-estimate (in fact I think it would be an under-estimate) to say that we should require 100 head constables and constables, at an average pay of Rs. 20 per month, each or Rs. 240 per year, you have another item of Rs. 24,000 per annum on the police budget. That, with the Rs. 36,000 per annum on Court Prosecuting Inspectors, raises our police budget by Rs. 60,000 a year. Even so, Sir, the matter does not end there. You have 4,000 special power cases and in many of these cases, you have more than one accused person and in some of the cases you have five or six accused. I think, therefore, it would be an under-estimate rather than an over-estimate to say that we should have 5,000 additional prisoners under trial, if we adopted the scheme proposed in the Bill under discussion. Now, the average duration of a Sessions trial in Burma, in 1934, was 38 days. That means we are going to have 5,000 men kept in custody for 38 days and that means additional prison charges for 1,90,000 man-days per year. The cost of rations in the jail department is very low. By favourable contracts in 1933-34 they cut down the cost of feeding prisoners in jails to just over one anna per head per day. But these men are not all kept in prisons. Many of them have to be detained in police lock-ups where the feeding is done by contract, and when you have to do a thing like that by outside contract, you cannot get the same favourable rates. The rates, so far as I remember, run to something like four annas per head per day. Any how, we may average it at two annas per head per day and you have a further expenditure, in the jail department for feeding these men, to the extent of Rs. 23,750. The total expenditure I estimate to be Rs. 4,39,350, say Rs. 4,40,000. There are moreover, other incidental expenses which I have no means of estimating. There is one large item which sticks out straightaway. Government are responsible for providing quarters for their police officers; consequently, if you recruit another 30 Court Prosecuting Inspectors and another 100 head constables and other ranks, you require to provide additional quarters for them all, and that would add appreciably to the cost of the new building programme. Then there are the travelling expenses of these escorts when bringing the prisoners from out-stations to the headquarters where the prisoners have to stand their trial and the cost of sending the escorts back. I have no means of computing this. Another item is this. It is necessary that when a case is under trial the investigating staff should be present in Court. They have to be there not only to give their own evidence, but they have to be there in case a point arises, later on, in the course of the hearing of the case when they may be recalled to clear up any difficulties that might arise. Now, Sir, generally the investigation of a case is conducted by a team of officers; there are usually the sub-inspector in-charge and probably one head constable with one or two constables. On any given day, therefore, there would be in Court, on duty in respect of each case, one Sub-inspector and one head constable and probably one or two constables. Moreover, it is possible that those who were on duty on the previous day would be engaged in travelling back to their respective stations on that day and that the men who are to be in Court the next day are engaged in travelling up to headquarters. In this way, you may have three investiga-

ting teams withdrawn from their proper work on any given day. All these things add to the work of the police and while I could not say that any increase in the staff would be immediately necessary, it is obvious that this must add force to any demand made by the police department for an increase in staff in districts where they are already considered to be fully employed.

Now, Sir, I hope I have shown not only that these proposals are unnecessary and uncalled for but that they are prohibitively expensive. I would ask the House whether it is justifiable to incur enormous expenditure on what must be regarded as quite the most undeserving section of the population when the law abiding community is in dire need of extended services in the matter of education, public health and other nation-building activities. To that there can only be one answer, and that is a very emphatic 'No' (Applause.)

Captain Rao Bahadur Chaudhri Lal Chand (Nominated Non-Official):

Sir, I cannot help admiring my Honourable friend from Lyallpur for his courage in coming before the House within less than two years of his former Bill on this very subject having been rejected by this House. This House then gave a clear verdict against this Bill inasmuch as 49 Honourable Members voted against the Bill and only 27 having voted for it. I am sorry that my Honourable friend is not in his seat today. It seems better sense has prevailed and he himself is convinced of the utter futility of his move and so he has preferred to conduct some section 30 case in the Court of a magistrate with enhanced powers whom he was condemning the other day. The more honourable course for him, as has been suggested by the previous speaker from Burma, would have been to withdraw this Bill. Probably he could then oblige the Honourable Member, Mr. Satyapuri, better than by absenting himself. Sir, his persistence and courage has reminded me of the story of a gentleman whose habit was to attend parties and feasts, but he never cared whether he was welcomed at a place or not. Invitation was immaterial to him and he used to go uninvited. People had been tolerating him for some time, but at one place he was noticed by the host as occupying a place reserved for the chief guest. The host came to him and whispered in his ears that there was no arrangement for him, and that, therefore, he had better go out. At this, there was no alternative for this gentleman but to walk out. Some of his friends noticed this, and, while sympathising with him, felt sorry at this insulting conduct of the host. This gentleman, however, was not at all sorry, and he most magnanimously replied: "You feel sorry, because I have been asked to go out? The host has been particularly kind to me, and I feel pleased at his behaviour, for, in other places, I have been receiving beating also". So the Honourable the Mover has acted like a perfect sport in coming to this House again after his defeat at Simla in 1933 and absenting himself when he was not welcome here. He seems to have been encouraged by the fact that the Opposition in the new Assembly stands in need of the tiny little party of which he is a member, and he expects support from the Opposition in lieu of his having supported them in season and out of season. But he has overlooked one fact, that the present Bill does not concern Bombay, Madras, the United Provinces or Bengal; and the support from those Honourable Members who have no connection with provinces affected by this Bill cannot be secured so easily. For, if they made every small matter a party question, the value of their decision will diminish in the eyes of the people.

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Sir, I spoke at some length when my Honourable friend, Sardar Sant Singh, brought this Bill before this House at Simla. I hope I shall be excused if I repeat some of the arguments advanced then while opposing the 1933 Bill. My justification for this is not only that this is a new Assembly, but also that my Honourable friend, Sardar Sant Singh, the author of this Bill, has also done the same. I must admit that Sardar Sant Singh is a criminal lawyer of great eminence and has had about 28 years' practice at the Bar in a very criminal district of my province. As such, I must also admit that his experience and information based on that fact must have great weight. But I too have been practising on the criminal side, and, although I have not completed my 25 years of practice, yet my district is not behind Lyallpur in the matter of violent crimes. (Laughter.) And, as such, I lay claim to the same experience and weight on this point. But I feel that I can base my claim for sound opinion on this point on other and further grounds. I hope my Honourable friend, Mr. Sham Lal, will bear me out that, so far as violent crimes are concerned, the Jats figure more prominently as accused than all the other communities in the Punjab put together. Even among Sikhs, it is the Jat Sikh who provides material for section 30 magistrates. Now, blood is thicker than water, and although as a criminal lawyer I stand to gain financially if all the section 30 cases had to be sent to Sessions Courts, yet, when I see that the money comes from the pockets of my kith and kin, I have to sacrifice my personal interests for communal good. Therefore, I wish to make it clear with due apologies to my brethren in the legal profession, who are in this Honourable House, that if I oppose this Bill, they will pardon me as I owe a duty to my community also, and they should not regard this as a betrayal of our common cause as practising lawyers. The point is so clear that if a committee of this House were appointed to make proposals for the increase of income of the legal profession as they have suffered heavily during these years of depression, and if I were to be a member of that committee, I would unhesitatingly propose this Bill to be passed, even as an Ordinance, to save time. But we are here to consider not so much the point of view of prosperity of the legal profession as to see that the convenience and welfare of the public generally are not sacrificed. Honourable Members coming from provinces where this system does not exist, should not go by sentiment, but by figures in forming an opinion about this motion. The figures have already been supplied by my Honourable predecessor in his able and lucid speech. It has been argued that, the motion being only for circulation, its acceptance did not matter, and that collection of opinion should not be barred. But the time of this House should not be wasted unless there is some material beyond sentiments. A perusal of the Statement of Objects and Reasons will show that the Honourable the Mover bases his claim on two grounds. First, he looks upon the present system as unsuitable to Governors' provinces. I hope no one here is anxious to claim equality on those grounds, for, if this argument is stretched further, the other provinces should not lag behind the Punjab in violent crimes also. Sir, this argument has no force, and, in view of what I am going to point out next, the tax-payer should not be burdened with unnecessary expenditure. The second argument used is that people are not satisfied with this procedure. Which people, may I ask? If the point of view of the accused is to be considered, I can say once for all that, both as a brother of these unfortunate accused as well as a lawyer, the present system is more suited to our conditions than the

It has been said that the accused are not satisfied with the trial before magistrates. This is absolutely incorrect and a gross mis-statement of facts. No accused, except perhaps those who are challaned for offences where capital sentence is the only punishment, wants to have two trials instead of one. The accused charged with murder, of course, would like to prolong trials, but certainly not the others. In these days of depression, these people are not able to bear even the expenses of one trial, and my Honourable friend wants to add to their troubles.

There is one very important point which my lawyer friends may note. It has been often alleged that the police tutor prosecution witnesses. I am really surprised that a lawyer of the disposition of my Honourable friend, Mr. Sham Lal, who has the reputation of extracting only that much of blood from the accused as they can easily afford, that is, more from the rich and less from the poor, should fall a victim to Sardar Sant Singh's trap. He quoted a case of a section 30 magistrate who had to depend upon lawyers for a translation of the statements of the witnesses. May I tell him that there are people of this class among Sessions Judges also? He should not forget that in one case, where he was present in Court, the Sessions Judge,—I do not wish to name him,—while dictating to the typist, gave a version different from that which was given by the witnesses. The Counsel for the accused interrupted, but got a snub from the learned Judge, who said :

"If these witnesses suffer and do not state facts in the proper way, I am not going to spoil my English,"

(Laughter.)

So there is nothing in a name. All minds are not equally developed.

I P. M. We will have to tolerate this class as we tolerate them in other professions as well. I remember the story of a doctor. Someone felt surprised when he learnt that Mr. "A." was practising as a doctor. I hope my Honourable friends, Dr Dalal and Colonel Sir Henry Gidney, on this side and a host of able doctors on the other side will not misunderstand me when I tell them what this doctor's reply was. He asked, who would be responsible for the increasing number of graveyards if men like himself did not practise? (Laughter.) Let us, therefore, examine this question from the point of view of the State and the public only. Honourable Members should know that there are at least two, and sometimes as many as five, section 30 magistrates in every district of the Punjab. If you reduce them to mere first class magistrates, for committal proceedings you will require at least 60 more Assistant Sessions Judges in the Punjab alone. The general taxpayer will have to bear every burden without any corresponding advantage in efficiency as these Sessions Judges will be drawn from these very magistrates. The only class who will stand to gain are the practising lawyers. (*Cries of "Hear, hear."*) Sir, there is neither any feeling nor agitation on this point in my province. Even after the rejection of the last Bill in 1933, there has been no desire for a change in the province. There was no resentment when the Bill was rejected, no meeting was held and no resolutions were passed. Not an article has been written in the press. And yet, my friend, the Honourable the Mover asks this House to believe that there is a feeling in the province. I again repeat that, with the exception of a few lawyers, no one is anxious for any change, and the general taxpayer, whose interest it is our duty to guard, stands to lose by this proposal. Two trials will mean two fees for lawyers. The presence of assessors do not in any way help the ends of justice in

[Captain Rao Bahadur Chaudhri Lal Chand.]

these cases. My Honourable friend, Mr. Sham Lal, knows how assessors help Sessions Judges. May I remind him of an episode in a Sessions Court where he was present? During the trial of a murder case, the Sessions Judge was taking the Public Prosecutor to task for producing unnecessary evidence, when one of the assessors stood up and said: "Sahib, you should not forget that we are also here." The Sessions Judge, not grasping the significance of this interruption, asked the assessor what he meant by that, and the latter said that tea should be provided for assessors also. The Sessions Judge was a European and did not know what bearing this "tea" had upon the remarks he was making about the prosecution evidence, but the assessor cleared it up in one breath and murmured. I was under the impression that the Public Prosecutor was going to be asked to have tea with the Sessions Judge when the Court rose at 4-30 p.m. and hence this request. (Laughter.) Sir, the point is so clear that not even Bar Associations have asked for this change. Does this House want to remind them by putting a leading question in regard to this change, by accepting this motion?

In regard to the so-called public opinion, I have to say one or two words. As a result of agitation and anti-Government propaganda during the last 15 years, there is no dearth for people who oppose Government's view for the sake of opposition. This will give them only an opportunity of maligning the magistracy and of lowering the prestige of law Courts which the Honourable the Mover professes to raise.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): How does this Bill lower the prestige of the law Courts?

Captain Rao Bahadur Chaudhri Lal Chand: The other day, Khan Bahadur Shaikh Khurshaid Muhammad, in his speech, gave a clear idea of how this system was working in the Punjab. My Honourable friend, Mr. Sham Lal, would not question the Khan Bahadur's experience and the weight to be attached to his speech. He said, he would be satisfied if all the magistrates were of this type, but does not accept the finding that has been given by the Khan Bahadur. The gist of Mr. Sham Lal's argument is not so much against the system of trial as against the system of recruitment that brings in incompetent men. Let me assure him that the new class that is being recruited under the altered system of recruitment will not include half-educated magistrates. They are all now University graduates. The Vice-Chancellor of the Punjab University is a member of the Board constituted for the selection of magistrates. None of the magistrates is given section 30 powers merely on the score of seniority. It is the High Court that recommends these magistrates to the Executive Government for these enhanced powers. I am afraid, my friend, Sardar Sant Singh, will not be satisfied with the open competitive system which is in the mind of Mr. Sham Lal. There were four vacancies in the Provincial Civil Service in the Punjab this year by open competition, but not one Sikh has been successful. So he will always ask for nomination.

Sir, there is no feeling in the province on this matter, nor is there any necessity for circulation of the Bill. The idea of inferiority in these trials is purely imaginary, and no change is wanted. I, therefore, oppose this Bill and appeal to Honourable Members opposite that they should not be a party to this extra burden of taxation on the taxpayer, which is a necessary corollary to this demand.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, after I have heard my namesake on this Bill. I am not at all surprised, because I see him always speaking in that strain. (*Cries of "Question."*) No, not at all. There must be an honest difference of opinion. (*Cries of "Hear, hear."*) There ought to be some freedom. On certain occasions (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on with his speech.

Mr. Lalchand Navalrai: Sir, I never expected this . . .

An Honourable Member: What about the telegrams from your constituency?

Mr. Lalchand Navalrai: They were inspired by the Congress Party . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can address the Chair. He need not take notice of interruptions.

Mr. Lalchand Navalrai: I thought there was more decency on that side.

Now, I come to the point. The question that has been raised is such that if the point involved in it is understood by the House and by the people who have to decide whether this provision in the Criminal Procedure Code should exist or not, then the decision will be very easy. The question before the House is, whether this extraordinary procedure, which is against the fundamental principles of justice, should live any longer. It is said that a similar Bill was once brought in 1933 and was rejected then. If it was rejected then, that does not show that that decision is binding on us for ever. On the contrary, when the Honourable Member from the Punjab, to which province also this Bill applies, has had the courage of coming again to ask for reconsideration, I think it is only fair that it should not be considered that he does so with any motives. I am not surprised that certain arguments have been placed on this point by my Honourable friend, Chaudhri Lal Chand. He says that there has not been any public opinion on this point. Even I will accept it, though, of course, that is no ground to refuse motion for circulation. His second ground is that the people do not object. All right. The third ground, he says, is that the Bar Associations have not protested against it. But what is it that is now wanted? It is not that we should pass the Bill forthwith. What is asked for is to call for public opinion; and does it lie in the mouth of one Member of this House to say that the public are in favour of this section or the Bar Associations are in favour, and that the practising pleaders do this from any motive? When circulation only is being asked, why should we not permit it and give an opportunity to people to express themselves? The Bar Associations also will place facts and figures in order to satisfy the House that the rejection of this section is very necessary. It has been said, on the other side, that no facts have been given by the Honourable Member from the Punjab as to how many cases have been tried by special magistrates and how many have been taken to the High Court, and so on. These are materials in the hands of the Government. Government have given certain facts and figures to show that this section is not

[Mr. Lalchand Navalrai.]

doing any harm in places to which it applies. On that point, again, circulation will bring out facts from each province and then we can see whether this section should be retained any more. But I support on principle for the acceptance of this motion, that you must give equal justice to all people. You should not make any difference in the case of a person who is to be tried for a particular offence from another person who is also being tried for the same offence. I, therefore, ask on that principle alone that this Bill should be sent for circulation, so that the opinions of people concerned should be before the House and the House may be in a position to give its verdict.

I would further submit

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member has anything more to say, the House will now adjourn.

The Assembly then adjourned for Lunch till Half Past Two of the clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Lalchand Navalrai: Sir, the first and the most cogent reason that I have placed before the House, and I would lay special emphasis upon it, is that no differential treatment should be given to any people in India in regard to the way of meting out justice. In order to understand that position, Sir, we shall have to refer to the Schedule attached to the Criminal Procedure Code. That Schedule provides for certain offences to be tried by magistrates and certain others to be tried by Sessions Courts. If Honourable Members will look at that Schedule, they will find that these offences have been sorted out or classified in such a manner that only heinous and serious offences are to be tried by Sessions Courts. Now, provision has been made that a magistrate ordinarily, according to that Schedule, which is a general one and which applies to all people, can try a case in which he can give punishment up to two years only, whereas a Sessions Court can pass a sentence up to the death penalty. This is the distinction that is drawn in the Criminal Procedure Code Schedule, but the present section 30 of the Criminal Procedure Code, which is objected to, makes a provision that in certain provinces, the usual, the ordinary and the just procedure of having a trial before Sessions Court may not be followed and a magistrate can try offences of a heinous and serious character which are generally tried by the Sessions Court. Now, Sir, reading section 30 of the Criminal Procedure Code, we must have reference to the times when this Code was enacted. There were then certain provinces where there were certain administrative difficulties at that time, of having in those provinces no Sessions Courts established or perhaps there were not many Sessions Courts then. But those times have gone by, and conditions have improved very considerably, and so there is no reason why the same practice should be followed today and the same unjust procedure, which introduces the principle of differential

treatment, in that certain accused are tried by Sessions Courts while certain others are tried by magistrates, should be adopted. Sections 30 and 34 read together give power to a particular magistrate, or special magistrate or an extraordinary magistrate as I would call him, to sentence a man, instead of two years' rigorous imprisonment, up to anything like seven years, and it is only cases of pure murder under section 302 that he cannot try; but a little degree less is an offence under 304, culpable homicide not amounting to murder,—death does occur there also, and he can try, for that offence. Therefore, under section 304 the accused can be sent to that Magistrate, and he can pass a sentence in that case up to seven years, if he passes a sentence of four years, then his appeal lies to the Sessions Court but if he passes a sentence of seven years, then alone the appeal will go to the High Court. I submit, Sir, that this invidious distinction should be removed, and now the provinces to which this section 30 applies are now full-fledged provinces which will be governed and administered by Governors. Now, Sir, section 30 says:

"In the territories respectively administered by the Lieutenant Governors of the Punjab and Burma and the Chief Commissioners of Oudh, the Central Provinces, Coorg and Assam, in Sind, and in those parts of the other provinces in which there are Deputy Commissioners or Assistant Commissioners the Local Government may, notwithstanding anything contained in section 29, invest the District Magistrate or any magistrate of the first class, with power to try as a magistrate all offences not punishable with death."

Now, I ask, are provinces like the Punjab, Sind, Burma and even the Central Provinces such as to be considered backward? Are not the people of those provinces sufficiently civilized, educated and cultured enough? Will it be contended that the people of those provinces are aboriginal tribes, that they have no intellect or common sense that they should be treated differently from people of other provinces? I am sure, nobody in this House will support such an allegation. Therefore, Sir, I feel that the time has come when every attempt should be made for removing this provision from the Criminal Procedure Code.

Then, Sir, coming to the question of differential treatment, apart from the injustice I have alluded to, let us consider what are the actual difficulties to the people. In the Sessions procedure, the case first of all comes before the police. The police sends up a *chalan* or charge sheet to a magistrate. In this case they will send it to a Magistrate who has got these special powers. Of course, even in an ordinary case it will go to a magistrate, there is no doubt about it, but the difference lies in this. If the case goes to this particular magistrate then he can try and give sentence up to seven years forthwith, while, on the other hand, if it goes to an ordinary magistrate, who can give only two years punishment then it must necessarily go to a Sessions Court by Commitment. Now, can anybody say that there is no difference in a case which is tried by a Sessions Court and that which is tried by a Magistrate? However laudable and praiseworthy the decisions of the present day Magistrates may be, we must say that the justice which people get from them is certainly quite different to that which they get from the Sessions Courts.

An Honourable Member: Why?

Mr. Lalchand Navalrai: The difference is this. It has been urged by a District Magistrate opposite that they are quite as capable as Judges of Sessions Courts to try these cases. Is that true, I ask?

An Honourable Member: Yes, that is quite true.

Mr. Lalchand Navalrai: Are they not in the hands of the executive?

The Honourable Sir Henry Craik (Home Member): No, no.

Mr. Lalchand Navalrai: I say, they are absolutely in the hands of the executive. Take it from me, Sir.

Mr. J. F. Sale (United Provinces Nominated Official): No.

The Honourable Sir Henry Craik: Certainly not.

Mr. Lalchand Navalrai: You may deny it, but the facts are quite plain, they are as plain as the daylight. Now, how are promotions given to these District Magistrates? Sir, I was startled to hear that their promotions in Burma are recommended by the High Court, because that is not the case in India.

An Honourable Member: It is so here also.

Mr. Lalchand Navalrai: No, Sir, here it is the sub-divisional magistrate who, first of all, decides their fate. But I say no. It is rather the District Superintendent of Police who decides it. Unless the District Superintendent of Police agrees with the first class magistrate, the first class magistrate cannot live. We see every day that the Public Prosecutor and the District Superintendent of Police come hand in hand. The Public Prosecutor goes to the magistrate, he is closetted with him in the chamber, and then comes the magistrate and sits in the Court and the decision is given. Is it just, I ask? It could be positively proved that it is the District Magistrate's recommendation which goes to the Commissioner or the Governor; he decides their promotion and their living.

Captain Rao Bahadur Chaudhri Lal Chand: It is the Sessions Judges who make annual remarks.

Mr. Lalchand Navalrai: I shall not pay any heed to your interruptions. Facts cannot be concealed like that. The facts are plain and we know them. Every man knows them, and denials from that side of the House will not make this truth an untruth.

If the case goes to the committing magistrate, that procedure gives full opportunity to the accused to prepare his case. What happens if the case goes directly to the magistrate and he has to decide? Usually a charge sheet is prepared by the police. Formerly, they used to give a précis or a summary of the evidence that was going to be placed before the magistrate, and also a copy of the statements of the witnesses for the prosecution used to be given. But now what is the procedure? Now the prosecution do not submit a statement of what the witnesses are going to say, but a bald skeleton of a charge is placed in the hands of the accused. We do not know what the police had collected and what sort of material they had. But if there were committal proceedings and then the case goes before the Sessions Judge, there is enough time to study the case and know all the faults of the prosecution. The cases before the Sessions Judge are tried by jury.

The Honourable Sir Henry Craik: There is no trial by jury in the Punjab.

Mr. Lalchand Navalrai: In Karachi, there is trial in the Sessions by jury. It is not in every place though and the public want that there should be a jury in every place, in every Sessions case.

Coming to appeals, why should the appeal, when the magistrate gives four years imprisonment go to the Sessions Court? When other magistrates are not giving four years they will also go to the Sessions Judge, but why should it be given to him when otherwise it will be two years imprisonment that is given by a magistrate and it goes to him. Otherwise, it will go to the High Court and here if he gives seven years, then only it can go to the High Court.

Some Honourable Members: No, no.

Mr. Lalchand Navalrai: It is not so? Read section 408. Under section 408 of the Criminal Procedure Code,

"Any person convicted on a trial held by an Assistant Judge, a District Magistrate or other Magistrate of the first class or any person sentenced under section 349 or in respect of whom an order has been made or a sentence has been passed under section 380 by a Magistrate of the first class, may appeal to the Court of Session."

That is not the section. I will give you the section.

Mr. W. V. Grigson (Central Provinces: Nominated Official): I think the Honourable Member will find what he is looking for under proviso (b) of section 408.

An Honourable Member: Say, thank you.

Mr. Lalchand Navalrai: Thank you (Laughter.)

"When in any case an Assistant Sessions Judge or a Magistrate specially empowered under section 30 passes any sentence of imprisonment for a term exceeding four years, or any sentence of transportation, the appeal of all or any of the accused convicted at such trial shall lie to the High Court."

It is, therefore, I say, more than four years imprisonment will go to the High Court.

The Honourable Sir Henry Craik: But you said seven years.

Mr. Lalchand Navalrai: I said more than four years. I am sorry. It must have been a slip of the tongue. Therefore, I say, why should this concession be also taken away?

A point has been raised as regards expense. I cannot understand it. It will not be necessary at least in the Punjab and in Sind—I do not know about conditions in Burma, but I do think the same thing can be done there also. We find at present that there is no lack of Sessions Judges, Additional Sessions Judges and Assistant Sessions Judges in these provinces.

The Honourable Sir Henry Craik: Where?

Mr. Lalchand Navarai: In Sindh we have got Sessions Courts, Additional Sessions Courts—there are at places two Additional Sessions Judges, and there are Assistant Sessions Judges. Also, persons who are doing Sessions work have a judicial mind in this sense that they have been trained in the judicial line. They are sub-judges of first class and they are given this work. I ask, why should the power remain in the hands of the magistrate when there are Sessions Courts to try, and it cannot be said—in Sind, at least, about which I know, it cannot be said that the Sessions Courts are over-crowded with work. The difference is only going to be this, that if the case goes to the Sessions Court it will have judicial consideration, in the sense that it will be free from the executive, whereas with a magistrate they can send up any man and have him punished. The Honourable Member from Burma said that there will have to be so many Courts provided if there are to be Additional Sessions Judges and others in Burma. But I think that it could be easily arranged because, if they have got so many places for magistrates, those places can be occupied by Sessions Judges who will be from the judicial line. There is no reason in that at all. Then I am told, that in Burma, some of these magistrates are stationary magistrates. That means they do not go out touring but in the two other provinces they do go out touring and people have to go long distances to find them. It is said that they give expeditious justice, whereas the Sessions Court will take a long time and there will be suspense to the man. It is not suspense to a man when he gets full justice. Therefore, that reason cannot in the least hold good. When the new constitution is coming, I think under that new constitution this should be one of the points that should be considered in carrying out that constitution, namely, the separation of the judicial and the executive, and this will be a move in that direction and the powers from these magistrates, who are solely in the hands of the executive, will come to those who possess judicial head and judicial responsibility. With these words, I support the Bill.

Rai Bahadur Shyam Narayan Singh (Bihar and Orissa: Nominated Official): I rise to oppose the motion before the House. In the Statement of Objects and Reasons appended to the Bill under consideration, it is said that the accused are not satisfied with the trial of such cases before the magistrates, because in their zeal to show what they term good disposal, the magistrates hurriedly proceed with the trial, with the result that cool consideration of the case is not possible as is done at a Sessions trial. Personally I do not see how these cases can be rushed through in view of the prescribed legal procedure about which the members of the legal profession are rightly so particular. Then, there are the Appellate Courts, the Sessions Courts and the High Court. Sir, my personal experience is that these apprehensions have no foundation in fact in my province of Bihar. I am personally aware that to save expense parties, who have full confidence in the Deputy Commissioners and first class magistrates invested with such powers, prefer such trials to trials at Sessions Courts where such cases are usually tried by Assistant Sessions Judges. It was more than once that the pleaders for the accused at Dhambad, where I tried such cases, asked me not to send such cases to the Sessions Courts so as to avoid the expense of a practically second trial before the Court. I may add here that there are eight districts in the province of Bihar where such offences are tried, either by the Deputy Commissioner himself or by an experienced first class magistrate selected by the Local Government with due reference to his judicial records. The Deputy Commissioner or such other magis-

trate has, however, no power to pass a sentence of death or of transportation or of imprisonment exceeding seven years, his powers being thus the same as those of an Assistant Sessions Judge, who would otherwise deal with such offences. It is idle to expect that Sessions Judges would take up such cases themselves, for they are already too over-burdened with more serious civil and criminal matters to think of them. The proposal regarding trial by the Sessions Judges of such offences would mean additional expense on the Local Government which it cannot easily meet. On the other hand, all the judges of the Patna High Court have expressed themselves in favour of the existing system and have stated that the work of the magistrates concerned is superior to that of the Assistant Sessions Judges in this respect, particularly on account of their long training as magistrates. The result of appeals arising out of such trials before the magistrates is also clearly in favour of the existing system. In 1934, out of 52 such appeals, which went up to the High Court, five were successful. Many of the offences dealt with by the magistrates, under section 30 of the Criminal Procedure Code, are really of a comparatively petty nature and are tried under Section 30 of the Criminal Procedure Code, for technical reasons on account of previous convictions. It would be a sheer waste of time to send up such cases to the Sessions Courts. At such trials the accused has the advantage of his appeal going to the Sessions Court and to the High Court and thus his interests are well safeguarded. It is not impossible that a magistrate, invested with Section 30 powers, here and there, may in some places misunderstand his responsibilities under the law, just as an Assistant Sessions Judge or a Sessions Judge may also do. Then also cases on the border-line of jurisdiction, as well as those presenting special difficulties, go to the Sessions Court, but in such cases, in the famous words of Sir George Campbell, "It is enough to show that indiscreet officers thirsting for technicalities may abuse the Acts. In that case, the officers will be changed, not the law." Sir, it is said that this Bill is only for circulation at this stage, but what is the good of circulating it when all the Local Governments and High Courts concerned have already been consulted and they are unanimous in throwing it out. Sir, I have done.

U Ba Si (Burma: Non-European): Sir, it is only natural that every accused person would like to be tried by a judge rather than by an executive officer. In Burma, the whole-time special power magistrates are men who belong to the executive department and as such under the control of the district magistrate. Now, there has been talk about the public feeling. I wish to say something about the public feeling in Burma. The ordinary magistrate, say, a first class magistrate, when he has become very notorious as a convicting man, in a few months, is invested with special powers. That is the public feeling. Burma has been a Governor's province for some time. Why should there be unequal treatment from the other Governors' provinces? There is no reason why Burma should be treated differently. There has been some talk of the cost of creating more posts of Assistant Sessions Judges. I submit that though a few Assistant Sessions Judges' posts will have to be created, at the same time the existing special power magistrates will have to be abolished and there is no fear of more expense. My friend, Mr. MacDougall, spoke about the necessity of putting up more court house buildings. But, in Burma, I do not think there will be any difficulty about it, because the existing "special power" magistrates' Courts can be used for the accommodation

[U Bu Si.]

of these Assistant Sessions Judges. Sir, where there is a will, there is a way. I submit that when the Government can afford to spend lakhs and lakhs of rupees on things like the Ava bridge, on which they spent Rs. 150 lakhs and when on Twante canals they have spent over 30 lakhs, surely there can be no difficulty in putting up a few buildings if they are necessary. There was also some mention of accused with previous convictions. In such cases they could be tried by the ordinary magistrates. But if the magistrate thinks that such an accused should be awarded a punishment that is beyond his powers, then he can, without difficulty, submit his proceedings to the Sessions Judges. I submit, Sir, that it is against all principles to say that, because it is not convenient for an accused person to be tried by a Sessions Judge, that because there is no building or no court room for that purpose, he should be tried by an executive officer. That is against all principles, and are we to tolerate such cases? With these few observations, I support the Bill.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, there seems to be a volley of opposition to an innocuous Bill of this kind and to the amendment moved before this House. Evidently, Sir, it has grown into a practice to oppose whatever comes from this side of the House, reasonable or unreasonable. The motion is so simple. It is only trying to gather public opinion at this stage. Why should the Government be afraid of public opinion? A number of speakers have risen and spoken on this motion, but I find that, with the exception of one nominated Member, there is no other non-official who has opposed the motion for circulation; and he spoke more in the role of a captain or a commander-in-chief than in the role of a lawyer who, in his daily profession, comes very much into contact with the public. I would say, Sir, that the only object of Honourable Members in opposing this motion is to entrench the bureaucracy continuously, for ever, to rule us by the naked sword. Excepting a few instances where justice was rendered, there is a natural aversion on the part of magistrates to make any use of any section of the Evidence Act. Sir, we know that the Evidence Act with our magistrates is a bugbear and the ordinary provision, that whenever there is no provision in the Statute they should generally apply principles of equity and good conscience, is misunderstood by magistrates. In one case, the magistrate thought that the reference to principles of equity and good conscience meant a personal accusation against the magistrate. He said he was not aware that, whenever there was no provision of law, the case ought to be decided by the principles of equity and good conscience. He complained bitterly in open Court, the Vakil suspected his honesty and said openly, over and over again, that he was not doing any justice and was not honest!

Sir, there is an inherent and congenital aversion on the part of magistrates to the rules of evidence. They think they have been designed only for the purpose of subverting or concealing the truth. I would say, Sir, that in the original section 30, they made a distinction for this purpose; they conferred a jurisdiction upon Sessions Judges and judges with respect to the trial of grave or serious offences straightaway in the case of the major provinces and with respect to the provinces where they did not want to place the Local Government on a high footing, they practically

consigned the administration of justice to the executive officers who rise from the lower ranks; in such provinces they think that the subordinate executive officer can safely act in a judicial capacity also. It was in that view that the original Code was passed in 1898; I do not know how much older it was, that is, the provision had been originally enacted. I would ask a simple question of those Members on the other side who have spoken so eloquently with facts and figures as to when, in their opinion, the time will arrive when the general and normal provision will be followed, of referring all these serious cases to Sessions Judges' Courts whether now or in the near future, or will it ever arrive at all? Sir, from the facts that have been gathered and from the long array of insurmountable obstacles standing in the way that have been placed before this House, I venture to think that the time will never come.

Sir, the Honourable Member from Burma said that the Member in charge of the Bill did not lay statistics on the table. What are the statistics? Statistics relating to disposal, etc. Sir, I heard once when, at the time of the Great War on the battlefield, a doctor declared a man to be dead, that it was the business of the watchman to bury him though he might be alive. (Laughter) That is so here also, with regard to the question of "disposal". A man is either to be sent to jail or should be acquitted; one of those two things must happen, and speedier justice is much better than tardy justice; so, let the man be consigned to jail! I would say, Sir, that liberty is not valued at all and that every attempt is made to see that so far as the public in this country is concerned, every restriction should be placed upon that right, *viz.*, liberty. Sir, young magistrates who have not been many years in service are entrusted with these powers. I say such a magistrate is an absolute creature of the police. In our parts, there are no section 80 magistrates. Even there, where magistrates exercise jurisdiction over lesser and less serious offences, the story that was referred to by Captain Lal Chund, is repeated often. It is not in respect of Assistant Sessions Judges only; the prosecuting inspector has tea with the magistrate; that happens every day even with respect to first-class magistrates exercising jurisdiction. The prosecuting inspector also is invited to tea day after day, the accused in every case has to witness that, the Vakil also has to witness that, and they can well imagine as to what kind of justice the accused is going to have! Sir, we have to contend with those things. Practically, the magistrate thinks he is only another hand of the police who lays the charge-sheet before him. When there is a charge sheet against an accused, it is rarely that he is acquitted. I know, I appeared in a number of such criminal cases; and the magistrate starts with the presumption that the accused man is guilty in every police case—not of course in a case of private complaint; that when once the police lay a charge-sheet before the magistrate, he takes it as an irrebuttable presumption, that that man is guilty and the burden is upon him to prove that he is not guilty. Sir, that is the kind of mentality of magistrates. I find that Honourable Members who have spoken from the non-official Benches say that they find the same difficulty in Sind and Burma. No doubt it may be convenient for one or two persons who are politicians to hobnob with magistrates and thus succeed, and, if that is so, the magistrates, I dare say, are amenable to such influences. They are afraid of persons who have got the ears of the District Magistrate. I would ask any Honourable Member on the Opposite side, who has been a District Magistrate or otherwise, to lay his hand upon his heart and say whether the subordinate magistrates are

[Mr. M. Ananthasayanam Ayyangar.]

not amenable to outside influence. These very subordinate magistrates when they come out of Court say in private, "what is it that we can do, we are forced to do a certain thing". In this way, the subordinate magistrate is forced to convict a man, a man who is a notorious offender. He might have been a notorious offender of that place, public opinion may be against him, but with respect to that particular case, there may not be any evidence at all. What is the attitude of the subordinate magistrate, I would ask. The magistrate goes upon his previous knowledge of the man or upon the prejudices that have been gathered round the man. The magistrate is the man on the spot. In our parts of the country, the subordinate magistrates are either tahsildars or deputy collectors in charge of revenue divisions. They go about their division and do a lot of touring, and, in their tours, they gather a lot of information about men and affairs. The village *munsif* comes to the magistrate in his tours and silently and insidiously infuses poison into the ears of the magistrate. How can the magistrate get over all the prejudices acquired in the course of his tours about men and things? Certainly an Assistant Sessions Judge or a Sessions Judge will be above all these prejudices. They are not liable to corruption and, therefore, they would really stand by the so-called justice which the Britishers have been anxious to preserve. If really the Britishers are earnest in their professions about preservation of justice, they must put it into practice by accepting this motion and try to extend the jurisdiction of Sessions Judges and Assistant Sessions Judges as in the major Provinces to the minor Provinces also.

Sir, with respect to the question of cost, I would make one suggestion, though that is not a suggestion in the interest of the public. If money stands in the way of this much-needed reform, I would certainly suggest that you can levy something more by way of court fee on the complainant. If the intention is that real justice should be administered, then it does not matter even if the public are put to the inconvenience of having to pay a little more money. Instead of asking the complainant to pay twelve annas by way of court fees on a complaint, ask him to pay something more and also impose more heavy fine on the accused in a case where the accused is found guilty. Please do not send one innocent man to the gallows, do not sentence a single man to transportation for life, without allowing him a fair opportunity to lay his case properly and diligently before Courts of law. My Honourable friend, Captain Lal Chand, said that vakils were interested in seeing that all major cases were sent to the Sessions Courts. Of course, if those persons now are not able to engage vakils to appear even before subordinate magistrates, I do not know how my Honourable friend thinks that vakils' purses will be filled by removing the jurisdiction of the magistrates and sending away these cases to Sessions Courts. A man if he is unable to engage a vakil in subordinate Courts would certainly be in a much less position to engage one in the higher Courts. Even in the lower Courts if he is not able to engage a vakil, *a fortiori* he will not be able to engage one in superior Courts. It is not a case where the Honourable the Mover of the Bill is a vakil and, therefore, he wants to feather his own nest and the nests of his brother vakils. It is too mean to attribute such mean motives to the honourable the Mover of the Bill. I would only say that the vakil has opportunities to fight against injustice that is being done in the name of justice. It is a matter of no consequence to the Magistrate whether a vakil appears or

not. He thinks he is bound to close the case and to send the accused to prison even when witnesses are not heard. Even on the first hearing, we have seen the magistrates saying, "This is the first hearing but I have got orders from the District Magistrate not to grant time to the accused or to the complainant as the case may be". Well, Sir, before lodging a complaint it is open to a complainant to choose his own time to go to a Court of law and when to give notice to the accused, but on the first day of the hearing the accused is asked to be present, and even though he has not got a copy of the complaint petition he is asked straightaway to cross examine the witnesses for the prosecution. The magistrate says: "You have got another opportunity. This is a warrant case, let it go". Well, Sir, after a charge is framed, the poor accused is quaked in his shoes and it becomes a matter of life and death and one between earth and heaven for him. Why should he forego the previous opportunity? Why should he not get a discharge under section 253? I would only say that in the name of justice, injustice is being done. To the European Group, I would only tell one thing to such of them as are not lawyers. They have got the happy privilege of being tried by men of their own complexion, with the help of jurors drawn from their own community. We are not asking that it should be made universal. Let the privilege be extended. It is now open to the Local Government to prescribe in what cases, there should be a trial by jury, and in what other cases, there should be a trial by the Sessions Judges and Assistant Sessions Judges with the help of assessors. I do not know whether in Sind, there are any cases at all tried by the jury.

Mr. Lalchand Navalrai: There are in Sind.

Mr. M. Ananthasayanam Ayyangar: I think the Honourable the Home Member said there were no cases tried by jury at all.

The Honourable Sir Henry Craik: In the Punjab, there is no trial by jury in the Sessions Court.

Mr. M. Ananthasayanam Ayyangar: There is an enabling provision in the Criminal Procedure Code which says that it is open to the Local Government to direct that particular cases may be tried either by the jury or with assessors. Till now this fortunate or unfortunate privilege for trial by jury has never occurred and that only shows how rigidly the ordinary criminal law is administered in the Punjab. I say, it is not criminal law, but it is martial law of Captain Lal Chand that has been administered all along in the Punjab. I would say that it is most unfortunate that any attempt to have progressive legislation is sought to be nipped in the bud. We know that the Punjab is now trying to become a full-fledged Governor's Province. Where is the inconvenience for introducing this much-needed reform in the criminal administration except the so-called inconvenience of lack of money.

Captain Rao Bahadur Chaudhri Lal Chand: If money is no consideration, then it would be better to ask that sub-inspectors should be recruited from among the Sessions Judges.

Mr. M. Ananthasayanam Ayyangar: If, in the obtaining of justice, money is to be a consideration that stands in the way, then I would rather forsake all other things than forsake justice. Why did not the

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consideration about money stand in the way of Sind being created a separate province. Sind is a deficit Province and it has been created into a separate Province against much public opinion there. When other Provinces have been created, where was the consideration of money? I would say, Sir, that in matters of administration of justice, money considerations ought not to come in the way. Let us set up the novel experiment of taxing the accused. Instead of putting him to jail, tax him heavily by way of fines and penalties so that you may have enough money to pay the Sessions and Assistant Sessions Judges. Put a heavy tax on the complaint in the shape of court fees. If such a course is adopted, I am sure there will not be any difficulty in introducing the reforms contemplated in the Bill.

I will wind up by saying that if section 30 magistrates are abolished and if powers are given to Sessions Judges to try the cases, then certainly there will be a preliminary enquiry before the magistrate. In the present case, the section 30 magistrate merely acts upon the evidence that is laid before him by the police authorities. You will find, Sir, there is one inconvenience if the first class magistrate tries the case. Under the Criminal Procedure Code, it is open to a magistrate to take up the investigation, the magistrate records statements from witnesses lest these statements should be tampered with at a later stage of the trial. If a magistrate takes up an enquiry upon himself and lays a charge before another magistrate of equal rank though he might be called a special magistrate, I would ask if that magistrate will have the courage to go against the investigation made by a co-magistrate. I would only say keep away the magistrate or the judge from all these influences. I would say that this Bill should be passed into law immediately without any further delay. It is a simple and innocuous Bill. But the Mover has not gone so far. All that he asks for in this motion is to send the Bill for circulation, and such a motion ought not to be opposed in the interest of fair play and justice and for the good name of the country. (Applause).

Mr. Lalchand Navalrai: I want to offer a personal explanation, namely, that there is a Sessions Court at Karachi and there is trial by jury there.

Mr. F. B. Leach (Burma: European): Sir, I did not intend to intervene in this debate as I hoped that the very plain and clear statement of facts which was put before the House by my Honourable friend, Mr. MacDougall, from Burma before lunch would, at any rate, have prevented some of the misconceptions, or as I would prefer to say mis-statements which have been made from the other side of the House. But I am afraid that even his speech has been of no avail, and several things have been stated since he sat down which I think should be contradicted. My Honourable friend from Burma, U Ba Si, tried to make out, in spite of Mr. MacDougall's speech, that there would be no considerable extra expense in abolishing section 30 magistrates and having all their cases tried by Sessions Courts. The Honourable Member entirely ignored the fact that, if we are going to abolish special power magistrates, then their cases will have to be tried twice over instead of once. Therefore, the expense will be very nearly doubled. I do not see how you can get away from that. It is no good saying that the Additional Sessions Judges, whom you are going to create, may occupy rooms now occupied by the special power magistrates and use their clerks. What about the committal magistrates who are

going to commit these cases to the Sessions Court? If you do not have special power magistrates, then these cases will have to be tried twice, once in the Committal Court and once in the Sessions Court. You cannot do that for the same cost or anything like the same cost as you can under the present system. I do not for a moment wish to say that cheapness should be the only or the deciding factor in the administration of justice. God forbid that that should be done. Justice must be administered by competent persons, whether they be magistrates or whether they be judges. But we have got, in these hard days, to consider the cost of everything; and there is no getting away from the facts stated by Mr. MacDougall that this would entail the province of Burma in an initial expenditure of many lakhs and in a recurring expenditure of many lakhs more.

Then, a great deal has been said about the type of magistrates who are now given special powers and who try these cases. And a great many things have been said which, I consider, Honourable Members of this House have no right whatever to say. It is scandalous, the things that have been said. One Honourable Member went so far as to say that in his province magistrates were given special powers on the recommendation of the Court prosecuting officer and the Superintendent of Police. That, I understand, was in Sind. (*Cries of "Everywhere"*). If that is done in Sind, I recommend Mr. Lalchand Navalrai to go to the distinguished officer who used to be an ornament of this House in the Legal Department and who has just been made the first Governor of Sind; and, I am quite sure, that that officer will not tolerate such a state of affairs as that, if it exists. I am quite sure that he will take very rapid steps to stop these special power magistrates being given their powers on the recommendation of the Superintendent of Police. Mr. MacDougall explained quite clearly this morning that the Honourable the Judges of the High Court themselves go into these cases personally; and I have not the least doubt that the same is done in other provinces too. And these remarks which have been made, these sneers which have been levelled against special power magistrates, that they are young men who are merely given these powers because they are ready to convict and so on, all these sneers reflect just as much on the High Courts and on the Honourable the Judges of the High Courts as they do on the executive. Honourable Members who made these quite unfounded charges perhaps do not realise that they were making very serious charges against the Honourable the Judges of the High Courts.

These, Sir, are one or two points in connection with the details that have been brought up by various Honourable Members. I do not wish to occupy the time of the House too long but I should like, in addition to these questions of facts and figures and details, to protest against the line that was taken by my Honourable friend from Sind, Mr. Lalchand Navalrai, in his discourse on what he is pleased to call the fundamental principles of justice. Well, we have all heard Mr. Lalchand Navalrai talk about fundamental principles many times. He always manages to find fundamental principles in everything.

Mr. Lalchand Navalrai: Is that bad or unconstitutional?

Mr. F. B. Leach: I do not say that it is bad or unconstitutional. What I do say is that in this case it is entirely irrelevant. (*Laughter.*) There is no fundamental principle of justice whatever, involved in this Bill. The question of special power magistrates is one of administrative practice

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and administrative convenience, and that is all. It is not a question of the fundamental principles of justice. There is absolutely nothing sacred in the period of two years which is the maximum imprisonment which a first class magistrate can inflict, and there is nothing essentially profane in the period of seven years which a special power magistrate is empowered to inflict. These two periods are matters of administrative routine and that is all.

An Honourable Member: What would you say if you were an accused?

Mr. F. B. Leach: If I were in the dock, I would like to be tried by an honest man (*Cries of "Hear, hear"*), and I should not mind whether the maximum sentence of imprisonment that he was empowered to give was two years or seven years or transportation for life. It would not interest me in the least.

An Honourable Member: What about the jury system?

Mr. F. B. Leach: I am not so frightfully struck with the jury system as the Honourable Member on my right seems to think. The jury system is a very interesting relic of English law, but I am not so very much struck by it. I have often thought that I would much prefer to be tried by a judge with experience, honesty and knowledge of law without a jury than to be tried by 12 comparatively ignorant shopkeepers, etc. (*Laughter.*) I do not set so much store by the jury system as all that.

Then, Mr. Lalchand Navalrai regaled us with a good deal of talk about "equality of justice to all people".

Mr. Lalchand Navalrai: Tried for the same offence.

Mr. F. B. Leach: I should very much like to know what he means by that. Personally I do not understand it. It seems to me that if you are going to give equal justice to all people, then you should give everybody the option of being tried by a jury, however trivial the offence with which he is charged. Does Mr. Lalchand Navalrai seriously propose that a small boy caught stealing a piece worth of betel-nut from a roadside stall should be solemnly tried and committed by one Court and then tried by a Sessions Judge and a jury?

Mr. Lalchand Navalrai: If he is sent up as a habitual offender.

Mr. F. B. Leach: That is, the first time he is tried for an offence, he is going to be tried by a corrupt magistrate and the second time he is going to be tried by a jury. It is quite an ingenious theory, but I cannot say it carries much conviction with me. Personally I think the first offender wants honest justice more than anybody else. He is not so clever at defending himself as a habitual offender.

Mr. Lalchand Navalrai: I should like all such corrupt magistrates to go.

Mr. F. B. Leach: Mr. Lalchand Navalrai would like all magistrates to be done away with and all accused to be tried by Sessions Courts. I am very glad I have extorted that admission from him. Would Mr. Lalchand

Navalram now like to sit down and work out what the cost of that would be to the taxpayer? It would be very interesting to know. It would not run into the lakhs which Mr. MacDougall talked about this morning, but into several crores. Also, of course, there would be nothing else for anybody in the country to do except to be connected with the Courts in some way or other. (Laughter.) I hardly think that is practicable. Now, Sir, for goodness sake, let us cut out all this high-flown talk about fundamental principles of justice (Laughter); and let us realise that what we are discussing in this Bill is the administrative practice of giving certain magistrates in this country powers to inflict sentences, not up to two, but up to seven years, without committing them for trial by a Sessions Judge. Now, as has been pointed out—I hoped that it would not be necessary for anybody else to point it out—so clearly this morning, in the first place, this would mean an enormous extra expense. In the second place, in order to get these Additional Sessions Judges, you would have, in practice, to promote a large number of your people who are now special power magistrates. All you would be doing really would be to have your cases tried by exactly the same class of men receiving a higher rate of pay and doing once again work which had already been done in the Committal Courts. You would not be getting a higher class of justice by that. If juries were in existence all over India, then there would be some logic in saying that you would like to have every case tried before a jury, but as the jury system only exists in a very small number of places in India, and as everybody knows that a judge is not bound by the opinions of assessors, it is really not going to make very much difference in practice to have a case tried by a Sessions Judge or to have it tried by a special power magistrate: and, as long as these special power magistrates are carefully selected,—selected for their knowledge of the law and for their good reputation and experience—I do not see that we are justified in the enormous extra expense which would be entailed by the provisions of this Bill.

There is one other thing which I should like to mention before I sit down. This is the old charge levied against magistrates that they never get promotion unless they convict everybody sent up for trial. I have been a District Magistrate for a good many years, and my experience is not that at all. (Interruption). I am talking from my experience. I was in Government service, I have been a District Magistrate, and I have experience from which I can speak. My experience, and as I know the experience of many other officers in Government service, is that the subservient type of magistrate who thinks of nothing but his own promotion is far more inclined to acquit than to convict in cases where he has a doubt, because he knows that if he acquits, the odds are that the case never attracts the attention of any superior Court. The moment he convicts, there is an appeal, and there is a very fair chance that the magistrate will have his conviction set aside.

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): Is it not dishonest?

An Honourable Member: Is it honest?

Mr. F. B. Leach: I do not say that it is honest or dishonest . . .

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member finish his speech.

Mr. F. B. Leach : But I do not believe in this theory of the prevalence of subservient magistrates who convict everybody, right and left, evidence or no evidence. We must remember that there are appeals and serious cases go on appeal to the Sessions Judges, not to District Magistrates. Afterwards, the High Court can call for them on revision, and the High Court does keep a very careful eye on all magistrates who are constantly having their cases upset by Sessions Judges. Those who have their convictions reversed are, of course, the men who convict on insufficient evidence. Therefore, it stands to reason that a man is not going to better his chances of promotion by convicting everybody who is sent up for trial. He is more likely to get his promotion by letting a man off in a case of doubt and taking very good care to see that the case does not go to the Sessions Judge, and that is what happens.

I do not wish to occupy any more time of the House, but I should like to ask Members before they decide on this question to consider that it is a question of administrative practice which does not really involve any fundamental principles of justice. (Applause.)

The Honourable Sir Henry Craik : Sir, the foundation on which this Bill rests seems to me to be so flimsy and to have been so completely demolished by the speakers this afternoon—notably by the two Honourable Members from Burma—that there is really very little left for me to pull down, but I would like to give it at least a decent burial. It seems to me, Sir, that the objections to this Bill are briefly this: In the first place, there is no proof whatever that there is any popular demand for it in any of the four provinces affected. There were no speakers who even asserted that, though I believe one did say that popular opinion as represented in the Bar Libraries is in favour of it. That I can well understand, but that popular opinion as reflected anywhere else has ever made any gesture or demonstration in favour of this measure is, to the best of my belief, entirely incorrect. I myself have been a Member of the Legislative Council for 12 or 14 years in a province which will be affected by this Bill, and I never remember the question being raised in any form whatever. Now, Sir, we are on the eve of the grant of Provincial Autonomy to the Provinces. It is proposed by this measure to push on to four Provinces and part of another a measure which will certainly cost them a great deal of money. Mr. Lalchand Navalrai denies that, but as usual, he is as inaccurate in his facts as in his law, (Laughter.) It will cost a great deal of money to push on to them this measure for which there is no demand whatever and on which at any rate they might be given an opportunity of coming to a decision themselves. I can see no justification whatever for this Assembly, merely on the ground of certain abstract principles, insisting on these provinces, all of which are poor and some of which are definitely deficit provinces, incurring the large expense which would be involved by the adoption of this measure.

Now, Sir, in whose interests is this Bill brought forward? I think it will be agreed that it is not in the interests of witnesses in these cases. They will surely prefer to have to appear only once in Court, but if the Bill becomes law they would have to appear throughout the committal proceedings and then make a possibly long journey to a distant place to appear in the Sessions Court. It is claimed that it is in the interests of

is denied and reasons given for that denial not only by the Local Governments concerned, but by the High Courts in every one of the provinces concerned. I will refer to that again. You leave out the witnesses and you leave out the accused. Who remain? The lawyers. It is significant that everyone of the speakers in favour of this measure today, with possibly one exception, has been a lawyer. My experience—and it is considerable—of lawyers' amendments of the law is generally that they are not in the direction of simplicity. The motives for that are fairly obvious.

We have had many attacks on the magistrates who exercise enhanced powers and these have been met very ably by the speaker from Burma who has just sat down, but I would like to reinforce his rebuttal of those attacks by quoting the opinions of some of the High Courts concerned; and I would also like to endorse what was said during the course of Mr. Leach's remarks that if you condemn the magistrates and their work, you condemn by implication the High Court that selects them for those powers, because in every case, so far as I am aware, the selection is made by a definite act of the High Court, on a careful examination of the individual magistrate's record and character. Now, let me quote the opinion of a High Court Judge of Lahore—an Indian and a lawyer, more eminent than any lawyer who has spoken this afternoon, a lawyer with a very long experience especially on the criminal side. He points out that if you abolish these section 80 magistrates, the Assistant Sessions Judges, who will have to be appointed, will be men drawn from exactly the same class, and the only result will be that you will impose an additional burden on the provincial exchequer without any practical result. The proposal embodied in this Bill is in his opinion "alike useless and impolitic." Under the present system, he goes on, "no magistrate is invested with enhanced powers until he has proved his worth and the High Court exercises a careful and effective check on the choice." That statement was agreed in by every single High Court Judge and, I think, I am right in saying there were fourteen of them. . . .

Mr. M Asaf Ali (Delhi, General): Who is this Judge? What is his name?

The Honourable Sir Henry Craik: Mr. Justice Din Muhamad, a very eminent judge. I will now turn to another province affected by this Bill—Bihar and Orissa. The Honourable the Judges of that High Court go even further: they say: "Without any possibility of contradiction that the present system is working very well indeed both as regards expeditious disposal and convenience to the parties and correctness of decision". That is another point to which I shall refer again: "It cannot be denied that there is sometimes a weak magistrate"—this is particularly significant—"but even the work of that weak magistrate is superior to that of the corresponding Assistant Sessions Judge." "In fact the work of these officers is uniformly superior to the work of Assistant Sessions Judges." That is the opinion in which the whole of the High Court concurred. Now, how can you defend this measure after hearing what the High Courts have got to say on the point? . . .

Mr. M. Ananthasayanam Ayyangar: Abolish the Assistant Sessions Judges?

The Honourable Sir Henry Craik: A special investigation was held by the High Court into the working of the system in one district—the Southul Parganas—and it showed that the work was performed very satisfactorily, that the work of magistrates exercising these enhanced powers was much superior to the work which would have been done after a long delayed trial by an Assistant Sessions Judge. You may, of course, say that that is a matter of individual opinion. But let me examine for a moment how the work of these magistrates stands the test of appeal. You may say of course a lot of their appeals go to the Sessions Judge and only a proportion of them to the High Court. I will accordingly confine my examination to those appeals that come before High Courts. I find that in the Punjab the percentage of successful appeals in the High Court has in every one of the last five years—I have not got longer figures than that—been lower in the case of section 30 magistrates than in the case of the Sessions Judges. In every one of those years, a higher proportion of Sessions Judges' decisions was reversed by the High Court than the decisions of these special magistrates.

I find in Burma exactly the same thing. Sessions Judges' appeals, wholly or partially successful are 20 per cent. (Interruption.)—I know it is a very unpalatable truth, but these figures speak for themselves. . . .

An Honourable Member: Very palatable to the Sessions Judges!

The Honourable Sir Henry Craik: In Burma, in Sessions Judges' appeals, 20 per cent. are successful, either wholly or partially. The corresponding figures in appeals from special magistrates is 14 per cent., a very substantial difference. In Bihar, exactly the same condition prevails. In the last year only ten per cent. of appeals from special magistrates before the High Court were successful, whereas in the case of Sessions Courts the percentage of successful appeals was 32 per cent. That is the statistical justification for the view held by the High Court Judges, and unanimously held by all of them, that the work of the special magistrates is better as regards expedition, and correctness of decision, than the work of the Sessions Judges. In the North-West Frontier Province exactly the same thing occurs, though there the difference is not so marked. The figure for successful Sessions Court appeals is 40 per cent., for magistrates' appeals 36 per cent. That seems to me completely to knock the bottom out of the case of those who say that the justice administered by these magistrates is less fair to the accused than the justice administered by the Sessions Courts.

Now, as regards expense, one or two speakers have said that there will be no expense involved; I think the protagonist of that view was, as usual, Mr. Lalchand Navalrai. . . .

Mr. Lalchand Navalrai: I still say it as regards Sind.

The Honourable Sir Henry Craik: I gather that in his province Sessions Judges are so lightly worked that they are able to take on a large extra burden of work. In Sind, it may be very small: in other provinces, it is not. In the Punjab, the number of cases disposed of by special magistrates in 1933, the last year for which I have figures, was 3414. These cases lasted on an average for 49 days as compared with

61 days in the Sessions Courts. I believe that the 61 days are counted from the date of the committal order, so that you may take it that each of these cases when decided by a magistrate, lasts just about half the time that a case tried in the Sessions Court lasts from beginning to end. The number of cases is 3,400 roughly, and to dispose of that, I take it that more than one Additional Sessions Judge per district,—that would be at least 35 to the province as a whole,—would be required. There would be no relief to the Magistracy, because they would still have to do the committal stage. The expenditure would inevitably, even leaving aside the question of buildings, come to several lakhs a year, because in addition to the pay of the judges and their establishments, you would have to keep the accused in custody for a much longer time, you would have to supply escorts for them and so on. In the North-West Frontier Province, the number of cases tried is even higher, that being a province where violent crime is particularly common. The Judicial Commissioner has calculated that for that province, a deficit province, which will have to receive a heavy subvention from the Centre, at least three more Sessions Judges would be required if this Bill passes into law, and it would involve an expenditure of three-fourths of a lakh on their pay and establishments alone. Sir, it is idle to pretend that this Bill will not involve heavy expenditure. It must inevitably do so, and, as I say, the effect of this measure will be, even without consultation with the provinces, to push on to them a change for which they have not asked, which popular opinion has not demanded, and which will cost the Taxpayer a great deal of money, I, therefore, see no justification for such a measure. For these reasons, Sir, Government must oppose this Bill, and they propose to do so at every stage. The motion before the House at the moment is one for circulation only. I have no particular objection to circulation, but I have little doubt what the result of it will be, and I want to make it perfectly clear that if we do not insist on dividing the House on circulation, that does not imply that at every later stage we shall not oppose the Bill.

Mr. President (The Honourable Sir Abdur Rahim). The question is:

“That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of sections 30, 34, 34A and 35), be circulated for the purpose of eliciting opinion thereon.”

The motion was adopted.

THE REPRESSIVE LAWS REPEALING AND AMENDING BILL.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Mr. President, I rise to move:

“That the Bill to repeal and amend certain Repressive Laws be referred to a Select Committee consisting of Mr. Bhulabhai J. Desai, Mr. Sham Lal, Mr. M. Asaf Ali, Maulana Shaukat Ali, Mr. H. A. Sathar H. Essak Sait, Pandit Lakshmi Kanta Maitra, Mr. George Morgan Mr. A. S. Hands, Mr W V Grigson, the Honourable Sir Henry Craik, the Honourable Sir Nripendra Sircar and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

[Mr. S. Satyamurti.]

Sir, I gave notice of this Bill towards the end of the year 1931 when I was elected to this Assembly, and it has come up early in 1936. I think, Sir, that is a fair index of the progress we are able to make in this House, with regard to non-official Bills. But I have very great pleasure, Sir, in making this motion, and I hope I shall have the indulgence of yourself and of this House, when I try to place before this House the reasons why, I think, this Bill should be referred to a Select Committee. If Honourable Members will kindly look at my Bill, they will find, Sir, it seeks first to amend section 124A of the Indian Penal Code, the prince among the repressive sections, as Mahatma Gandhi called it in his famous trial before the Ahmedabad Magistrate. It also seeks to amend, Sir, section 144 of the Code of Criminal Procedure which has been used, or shall I say, abused by magistrates for almost any purpose and against the public, especially during the days of the non-co-operation movement; and it also seeks, Sir, to repeal a number of Acts stated in the Schedule, ranging from 1818 to 1932. These are only some of the laws which disfigure our Statute-book; but there is one common element behind all these Statutes which I have mentioned in the Schedule, and that is, they are all based upon a distrust of the judiciary as such. They are all based upon a desire to arm the executive with the exercise of powers which shall not be questioned anywhere, and they all offend against the elementary canons of the supremacy of law and of the freedom of the citizen. In my Statement of Objects and Reasons, Sir, I state:

"We are supposed to be on the eve of great constitutional changes taking us towards Responsible Government. Responsible Government implies the right of all citizens, and especially of minorities, to express their opinions freely, and the recognition of their fundamental rights to freedom of person and property. At present, there exist in the Statute-book in this country various laws which are inconsistent with the fundamental rights of the citizens."

And I conclude, Sir, by saying.

"It is necessary to inaugurate a democratic form of Government in this country, by a clear recognition of the fundamental rights of its citizens to ordinary freedom of person and expression of public opinion, where it does not come into conflict with the lives of citizens, or the tranquillity of the State. Several attempts have been made in the past for repealing these laws, but so far they have not been successful. It is high time that these laws are removed from the Statute-book. Hence this measure."

Now, Sir, my Honourable friend, the Home Member, who spoke on the last Bill, stated that we were on the eve of Provincial Autonomy and that, therefore, we ought not to make any changes in the criminal law of the land which will add to the expenditure of these provinces, especially some of which are deficit provinces. I venture to put it to him and to this House, Sir, that, so far as my Bill is concerned, it does not seek to put any extra charge on the revenues of any province. On the other hand, Sir, it will tend to save the revenues of the provinces by discouraging Local Governments from indulging in frivolous prosecutions for sedition, by restraining magistrates from passing unjust and arbitrary orders under section 144, and, generally by encouraging people to live as free men entitled to their freedom, subject only to that freedom being taken away from them by an order of a Court, after a judicial trial. Sir, taking the Government of India Act itself, you will find that the concern of law and order which today is with the Honourable the Home Member, is hereafter to be transferred to Ministers. In every province, there is going to be a Council of Ministers to aid and advise the Governor

in the exercise of his functions, except in so far as he is, by, or under the Government of India Act, required to exercise his functions or any of them in his discretion. The only responsibility which the Governor will have as Governor will be the prevention of any grave menace to the peace or tranquillity of the province or any part thereof. Subject to that safeguard, the contemplation of this Act is to create, in the eleven provinces which will come into existence some time next year, a system of government under which responsible ministers, elected by large electorates and responsible to a wholly elected House, shall be entirely responsible for the preservation of law and order in their provinces. And I want to assure this House that, even if some of them believe that the repeal or amendment of these laws may create a situation which may menace the peace or tranquillity of the provinces, the authors of this Act have provided even for that contingency. In section 57 of the Act, they give ample power to Governors of provinces to take action against people who are supposed or are believed to be contemplating crimes of violence intended to overthrow Government, and the Governor, then, irrespective of his ministers, has ample powers. Therefore, there is no point in the argument that the repeal or amendment of these laws will leave the provinces helpless in the face of real violence or disorder.

On this question, as you may remember and the House may remember, that is, the question of transfer of law and order, there was a
 4 P.M. great deal of agitation both in this country and in England; and it was not without hesitation that the Joint Parliamentary Committee, which went into this question, recommended the transfer of law and order. In so recommending, they said:

"We find ourselves unable to concede a Government to which the quality of responsibility could be attributed if it had no responsibility for public order. In no other sphere has the word 'responsibility' so profound and significant a meaning, and nothing will afford Indians the opportunity of demonstrating more conclusively their fitness to govern themselves than their action in this sphere. From one point of view, indeed, the transfer of these functions to an Indian minister may be in the interests of the police themselves, whom it will no longer be possible to attack, as they have been attacked in the past, as agents of oppression acting on behalf of an alien power. But we prefer to base our conclusion upon the broader grounds indicated above."

And, therefore, they have recommended the transfer of law and order in the provinces. Now, as I read the Government of India Act, I see that, in the new Constitution, law and order, except probably in what are called centrally administered areas, will no longer be the concern of this Government. I, therefore, respectfully invite the Honourable the Home Member to agree to this motion. After all, law and order are going to be the concern of Provincial Ministers in responsibly governed provinces. Why not trust them to deal with the law and order in their own provinces without the help of these weapons? (Interruption by the Honourable Sir Nripendra Sircar.) My Honourable friend interjects. He says: "I am thinking of myself." Probably, I am. Therefore, why burden me with these Acts? Why not let us rule our own provinces in the best interests of our own people? I hope that my Honourable friend who was a non-official till the other day,—I do hope that the Honourable the Law Member will occasionally remember, he may come back to these Benches. There is no use imagining that two years have made him a permanent bureaucrat. It is all right for his colleagues, they are born, they live and die as bureaucrats; but he and I have got a non-official life *behind* us, he and I have got a non-official life *before* us, and I would, therefore, suggest that he should

The Honourable Sir Nripendra Sircar (Law Member): You will change completely when you become a Minister.

Mr. S. Satyamurti: Well, if I do so, I shall err in excellent company, but I think I have got sufficient warning in the example of my Honourable friend, the Law Member.

An Honourable Member: We won't allow him to change.

Mr. S. Satyamurti: As my Leader reminds me, I am prepared to change if the Honourable the Law Member will change into a Congressman. I will pay that price, in order to get the Law Member into the Congress ranks. But I do want to lift my Honourable friend to a higher plane, if I may. What does it matter if I change? The eternal laws of the world will not change. A traitor here, a traitor there cannot affect the fundamental laws of humanity and justice. It seems to me idle, if not irrelevant, to suggest that I will change, and, therefore, this Government cannot be wrong. I promise him I will not change. I belong to an organisation which has shown its grit in spite of terrible oppression, and to go on suggesting in this cheap sneering way that people move these motions here will change when they go to that side, and, therefore, we are not right, is not worthy of a gentleman who hopes to lead this House. I suggest to him to occasionally lift himself out of this petty and pettifogging arguments, and why not try occasionally to be great and generous?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member appears to be getting too personal.

The Honourable Sir Nripendra Sircar: I do not mind in the least. (Laughter.)

Mr. S. Satyamurti: I had great provocation, but I will pass on to the next point.

The Honourable Sir Nripendra Sircar: Let him go on a little.

Mr. S. Satyamurti: I feel I need not go on any more, because it has no effect on him, so I will pass on to the next subject. I had greater hopes of him.

Now, Sir, my Honourable friend, the Home Member, in opposing the last motion, although he did not challenge a division, was very emphatic that public opinion was not in favour of the Bill of my Honourable friend from the Punjab. I want to put it to him that we, who represent public opinion in this House, are entirely in favour of the changes contemplated in my Bill. I challenge him to deny that statement, and if he denies it, I ask him to find out from any relevant source of public opinion and state to this House that I am wrong and that he is right.

The Honourable Sir Henry Craik (Home Member): Does the Honourable Member claim that he is the sole representative of public opinion?

Mr. Satyamurti: I am a much better representative than all the occupants of the Front Treasury Bench.

The Honourable Sir Henry Craik: Than all the occupants of the other Benches?

Mr. S. Satyamurti: The occupants of the Benches behind my Honourable friend are his own creatures, and represent nobody but themselves; and, as for the other Members of the House, a consistent majority has been on this side of the House against all repressive legislation. My Honourable friend knows it. Ever since this House came into existence, we have given them proof after proof, but none, so blind as those who have eyes and will not see.

The Honourable Sir Nripendra Sircar: Not on the last occasion!

Mr. S. Satyamurti: So far as public opinion is concerned and this House is concerned, there can be no doubt whatever that in this country there is an insistent public opinion that these repressive laws should go. There can be no doubt. Will my Honourable friend come with me and address any public meeting and get a vote in favour of his opposing this Bill? How else can you ascertain public opinion? That is the only way.

An Honourable Member: Even the Aman Sabha won't do it.

Another Honourable Member: Not even in Chiefs' College.

Mr. S. Satyamurti: Now, Sir, I take section 2, I mean clause 2 of my Bill; it is not yet a section, I hope it will be soon. Clause 2 reads:

"In section 124-A of the Indian Penal Code :

"(a) after the word 'whoever' the words 'with the intention of promoting physical force or violence or public disorder' shall be inserted."

Section 124A reads as follows.

An Honourable Member: They know it by heart!

Mr. S. Satyamurti:

"Whoever, by words, either spoken or written or by signs, or by visible representation or otherwise, brings, or attempts to bring, into hatred or contempt, or excites, or attempts to excite, disaffection towards Her Majesty or the Government established by law in British India, shall be punished with transportation for life or any shorter term."

With my amendment, it will read:

"Whoever, *with the intention of promoting physical force or violence or public disorder*, by words either spoken or written," etc

The effect of the amendment is this, "that no mere words which merely bring into hatred or contempt the Government established by law in India or excite or attempt to excite disaffection towards the Government established by law in British India will make the person come within the mischief of this section. With the amendment, a man will commit an offence under this section, if his intention is to promote physical force or violence or public disorder. I admit the well-known interpretation of the word 'intention' that a man must be presumed to know the natural consequences of his words, and, therefore, if the natural meaning of a man's words is that he has the intention of promoting physical

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force or violence or public disorder, he shall be guilty of the offence of sedition." The sedition section has a fairly long history. Lord Macaulay originally drafted it as section 113 of the Code, but curiously enough it was not found in the Code, as originally passed in 1860. Later on, it came in as 124A in 1870. That was the subject of interpretation, as you know and as Honourable Members know, in a series of well-known cases, the Bangabasi case and the Tilak case; and, as a result of all those cases, the section was redrafted in 1898, and in the words of Sir James Stephen, "as substantially representing the law of England of the present day, though much more compressed and more distinctly expressed"! In comparing the old and the new sections, you will find there are only two main amendments. In the original section, the words were "whoever by words either spoken or intended to be read". In the amended section, it is "either spoken or written"; but the main difference is in the *Explanation*. The original *Explanation* was:

"Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government and to support the lawful authority of the Government against the unlawful attempts to subvert or resist that authority is not disaffection. Therefore the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation is not an offence within this clause."

This *Explanation* was redrafted, as three *Explanations* in the amended section.

Explanation I.—The expression "disaffection" includes disloyalty and all feelings of enmity.

Explanation II.—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means without exciting or attempting to excite hatred, contempt or disaffection do not constitute an offence under this section.

Explanation III.—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection do not constitute an offence under this section.

Honourable Members will notice that the psychological distinction which was made in the original *Explanation*, namely, a disposition compatible to render obedience to the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not found in the amended *Explanations*; but, Sir, as I shall presently show, the effect of the amendment of the *Explanation* is not very much. Before I do so, I want to quote before the House the definition of Sedition by Chief Justice Petheram in the famous Calcutta case:

"Disaffection means a feeling contrary to affection, in other words, dislike or hatred. Disapprobation means disapproval. It is quite possible to disapprove of a man's sentiment or action and yet to like him. If a person uses either spoken or written words calculated to create in the minds of the persons addressed a disposition not to obey the lawful authority of the Government or to subvert and resist that authority, if and when occasion should arise, and if he does so with the intention of creating such a disposition in his hearers or readers he will be guilty of the offence of attempting to excite disaffection within the meaning of this section, though no disturbance is brought about by his words and no feeling of disaffection has been in fact produced by him. It is sufficient for the purposes of the section that the words which are used are calculated to excite feelings of ill-will against the Government and to hold it up to the hatred and contempt of the people and that they were used with the intention to create such a feeling."

Then, Sir, the next and the most important case was that of *Rex v. Bal Gangadhar Tilak, Lokamanya Tilak*, and there Justice Strachey in his summing up to the jury quoted the words of Chief Justice Petheram and said:

"Disaffection means hatred, enmity, dislike, hostility, contempt and every form of ill-will to the Government. Disloyalty is perhaps the best general term bringing in every possible form of bad feeling to the Government. That is what the law means by the disaffection, which a man must excite or attempt to excite. He must not make or try to make others feel enmity of any kind towards the Government."

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

I am reading that part of the summing up of Justice Strachey, in order to show how wide and comprehensive the meaning of the word "disaffection" is. You will observe these words are important. You will observe that the amount of disaffection is absolutely immaterial, except perhaps in dealing with the question of punishment. If a man excites or attempts to excite feelings of disaffection, great or small, he is guilty under the section. In the next place, it is absolutely immaterial whether any feelings of disaffection have been excited or not by the publication in question. It comes to this that, if a man says something which may in some remote contingency create some small ill-feeling against the Government,—it does not matter how small it is, it does not matter whether it was actually created or not,—the man is guilty of sedition. That is the position here expounded by a judge authoritatively; and, coming to the *Explanation* which seeks to protect what are called expressions of disapprobation of Government measures as opposed to Government as an entity, the learned Judge proceeded to sum up as follows:

"Its object is to protect from the condemnation pronounced by the first clause certain acts which it distinguishes from the disloyal attempt with which the first clause deals. The next and the most important point that you have to bear in mind is that the thing protected by the explanation is the making of comments on the measures of Government with a certain intention. This shows that the explanation has a strictly defined and limited scope. Observe it has no application whatever, unless you come to the conclusion that the writings in question can fairly and reasonably be construed as the making of comments on the measures of the Government. It does not apply to any sort of writing except that. It does not apply to any writing which consists not merely of comments upon Government measures but of attacks upon the Government itself."

I pause there. I can criticise the Press Act. I can criticise the Criminal Law Amendment Act; but if I say that the Government which enacted the Criminal Law Amendment Act is a bad Government, I come within the mischief of this section. The Judge goes on:

"It would apply to any criticisms of legislative enactments such as the Epidemic Diseases Act or any particular tax or of administrative measures, such as the steps taken by the Government for the suppression of plague and famine. But if you come to the conclusion that these writings are an attack not merely upon such measures as these, but upon the Government itself, its existence, its essential characteristics, its motives, or its feelings towards the people, then you must put aside the exception altogether, and apply the first clause of the section."

I put it to my Honourable friends who are experts in human psychology, as to how any man who criticises Government action, unless he can perform this tight rope dance, can criticise it and say it is entirely

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wrong and yet say that the men who did this act are angels and are not liable to be criticised. Unless I perform the impossible intellectual feat that the Government which passes bad laws, which imposes unjust taxes, which spends extravagantly is above all criticism, as such, that it is a perfect Government, and it is only as a lapse of mind that they have done these things, I come within the mischief of this section. I put it to my friends whether it is right that there should be on the Statute-book of this country a law which compels me, especially in the broadening days of provincial autonomy, to constantly profess my love towards the Government while merely criticising its measures, legislative, financial or administrative. Then, Sir, the Judge goes on:

"He (the critic) may express the strongest condemnation of such measures"—that is, Government measures—"and he may do so severely, and even unreasonably, perversely, and unfairly. So long as he confines himself to that, he will be protected by the section. But if he goes beyond, and, whether in the course of comments upon measures or not, holds up the Government itself to the hatred or contempt of his readers, as, for instance, by attributing to it every sort of evil or misfortune suffered by the people, or by dwelling adversely on its foreign origin or character. . . . then he is guilty under the section and the explanation will not apply."

Then, of course, there is a second limitation. In this connection, he said.

"It (the quality of the disapprobation) must be compatible with a disposition to render obedience to the lawful authority of the Government and to support the lawful authority against unlawful attempts to subvert that authority."

That part is not now part of the section, as it stands, and I will not, therefore, dwell on that. The Lokamanya's case went up to the Privy Council, and they declined to interfere.

Now, Sir, it may be argued that the amended section makes the expression used by Chief Justice Petheram and Mr. Justice Strachey no longer applicable; but, on that matter, I have the strong authority of John D. Mayne, who says:

"The amended section was based with reference to all these decisions and seems to have been framed with a view to maintain the construction which had been put on the earlier section, by introducing words in accordance with that construction, and excluding all ambiguous phrases."

I, therefore, maintain that today, as the law stands, on the authority of this great commentator, and also, as I shall show presently, in the light of the case law since the amendment, those pronouncements are opposite even today, because these words have been framed with a view to maintain the construction which had been put on the earlier section by introducing words in accordance with that construction:

"The changes in the wording of the principal section and *Explanation 1* make clear what was meant by disaffection. *Explanations 2 and 3* make equally clear what is the subject-matter against which political disapprobation may be aroused, and what are the limitations within which such disapprobation must be confined. The highly metaphysical description of disapprobation which is consistent with a disposition to support the Government in doing the things which you disapprove is wisely left out. But all attempts, whether open or disguised to make the people hate their rulers and to impair the confidence imposed by the public in the Government is sought to be brought within the section."

These are the words of Mayne. That is the position, Sir, so far as section 124A as defined in the Indian Penal Code stands. Now I want to give the House rapidly, in order to justify my attempt to amend this law as I seek to amend it, a reference to the English law on the subject. The English law of sedition is stated succinctly by the Earl of Halsbury in the Laws of England, Volume IX, sections 901 and 902:

"Every person is guilty of the common law misdemeanour of seditious conspiracy who agrees with someone else (not being his or her wife or husband), to do any act for the furtherance of a common seditious intention; for example, to hold a meeting for the purpose of disturbing the public peace or of raising discontent and disaffection or exciting hatred and contempt of the Government."

Then, Sir,

"Every person is guilty of the common law misdemeanour of seditious libel if, with seditious intention, he either speaks and publishes any words or publishes a libel. The freest public discussion, comment, criticism and censure, either at meetings or in the Press, in relation to all political or party questions, all public acts of the servants of the Crown, all acts of the Government, and all proceedings of courts of justice are permissible, and no narrow construction is to be put upon the expressions used in such a discussion, but the criticism and censure must be without malignity, and must not impute corrupt or malicious motives."

Then, Sir, I want to read just one or two cases which are summarized here and to refer to one of the reported cases. One case is to be found in the note on page 461, and this is the judgment there under (s) there:

"If the words whether written or spoken have a direct tendency to cause unlawful meetings and disturbances and to lead to a violation of the laws, they are seditious, as the defendant will be taken to have intended the natural consequences of what he has done." (R. V. Lovett.)

The House will notice, Sir, that the wording of my amendment is almost the same, that is to say, the words that are written or spoken should have a direct tendency to cause unlawful meetings and disturbances, and to lead to a violation of the laws. The other case referred to here is Rex vs. Sullivan, and I owe this volume to the courtesy of my Honourable friend, the Legislative Secretary, who has kindly let me it; and I just want to read a few passages from the summing-up of the Judge there to the Grand Jury in the first instance, and then to the Jury, in order to show how the law of sedition stands in England, and how my attempt is merely to approximate the law here in this country as much as possible to that law:

"Sedition is a crime against society, nearly allied to that of treason, and it frequently precedes treason by a short interval. Sedition in itself is a comprehensive term and it embraces all those practices, whether by word, deed, or writing which are calculated to disturb the tranquillity of the State, and to lead ignorant persons to endeavour to subvert the Government and the laws of the empire. The objects of sedition generally are to induce discontent and insurrection, and to stir up opposition to the Government and bring the administration of justice into contempt; and the very tendency of sedition is to incite the people to insurrection and rebellion. Sedition has been described as disloyalty in action, and the law considers as sedition all those practices which have for their object to excite discontent or disaffection, to create a public disturbance, or to lead to a civil war; to bring into hatred or contempt the sovereign or the Government, the laws or the constitution of the realm and, generally, all endeavours to promote public disorder."

Then, Sir, when the case came on for trial, in his summing-up the Judge stated this:

"There is in this country a perfect freedom of the Press, and to many of the passages in these publications about the downtrodden condition of the country the present answer is that there exists a free Press and where that exists liberty must

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coincide with it. When you come to consider what a journalist may do, I have to point out that a journalist may and indeed it is his duty to canvass and censure acts of the Government of the State. He is free to discuss their acts and their public policy and he may canvass, and, if he thinks proper, censure the acts of the Government and Ministers and above all he is invited to consider what is of the greatest importance,—the administration of the law."

Then, Sir, as regards this definition of agitation for the redress of grievances, apart from attempts to create disaffection against Government, the learned Judge has relevant comments:

"I concur with the Counsel for the defendant that if the law of libel was carried out in the full strictness of its letter, it would materially interfere with the freedom of the Press. Hence a great deal depends upon the forbearance of Government, the discretion of Judges, and above all, on the protection of juries. For instance, it is open to the community and to the Press to complain of a grievance. Well, the mere assertion of a grievance tends to create discontent which, in a sense, may be said to be seditious."

My complaint is that in this country, as the section stands and as the case law stands, the mere assertion of a grievance has been held to create disaffection, and therefore, to be seditious. The Judge goes on:

"But no Jury, if a real grievance was put forward and its redress *bonâ fide* sought, although the language used may be objected to,—no jury would find that to be a seditious libel. It might be the province of the Press to call attention to the weakness or imbecility of a Government when it was done for the public good."

As the law stands in this country, I cannot call attention to the weakness or imbecility of this Government outside this House even for the public good, without coming within the mischief of section 124A:

"How grossly that trenches on the law of sedition; and yet such writing when *bonâ fide* would receive protection from a jury. Therefore you are at liberty to look to the surrounding circumstances," etc.

That was the summing-up of the Judge to the Jury.

Then, Sir, it goes on:

"You should recollect that to public political articles great latitude is given. Dealing as they do with public affairs of the day, such articles, if written in a fair spirit and *bonâ fide*, often result in the production of great public good. Therefore, I advise and recommend you to deal with these publications in a spirit of freedom, and not to view them with an eye of narrow criticism."

Along with the same case, there is another case reported. *Rex. vs. Richard Pigott*. There also, the Judge, summing-up, mentions the law of seditious libel:

"You all know the powerful effect that newspapers have had in the overthrow of Governments, and Governments have a right to protect themselves from attempts to overthrow them, and it is the duty of loyal people to aid them in that purpose. In this country, the only power that Government has is to bring the newspaper writer before a jury. I trust that the necessity for strong measures will never arise. Jurors have too much interest in the freedom of the press to sanction any encroachment upon that freedom, and they ought to give the greatest latitude to any writing brought before them."

I think this ought to show to the Honourable House that, so far as the law in England is concerned, there is no doubt that as it is administered and I grant that in the mere statement of it, there are the

words "creating disaffection", but so far as the actual administration is concerned, people's words are held to be seditious only when the intention or the result of the words is really to promote public disorder and my amendment seeks to do no more than that. I only want to refer to the definition of "sedition" in two other well-known English books, "Archbold's Criminal Pleading" and "Stephen's Digest of the Criminal Law":

"Sedition, whether by words, spoken or written, or by conduct, is a misdemeanour indictable common law, punishable by fine and imprisonment; it embraces all those practices whether by word, deed, or writing, which fall short of high treason, but directly tend or have for their object to excite discontent or disaffection; to create ill-will between different classes of the King's subjects; to create public disturbance or to lead to civil war, to bring into hatred or contempt the sovereign or the Government, the laws or constitution of the realm, and generally all endeavours to promote public disorder."

That, Sir, is an authoritative definition of "sedition".

The Honourable Sir Nripendra Sircar: Does not the next page of the same book say "incitement to violence is not necessary for sedition"?

Mr. S. Satyamurti: On the next page, I find:

"It is also a seditious libel, if the publication is calculated to inflame the minds of the labourers, and working people and to incite them to acts of violence, riot and disorder, and to the burning and destruction of corn, machines, and other property."

The Honourable Sir Nripendra Sircar: I had no intention of interrupting the Honourable Member.

Mr. S. Satyamurti: I will look up the whole thing next time.

Stephen's "Digest of the Criminal Law" says:

"If seditious intention is an intention to bring into hatred or contempt, or to excite disaffection against the person of His Majesty or his heirs and successors, or the Government and constitution of the United Kingdom, as by law established, or either House of Parliament, or the administration of justice, or to excite His Majesty's subjects to attempt otherwise than by lawful means the alteration of any matter in Church or State . . . by law established, or to incite any person to commit any crimes in disturbance of the peace, or to raise discontent or disaffection among His Majesty's subjects, or to promote feelings of ill-will and hostility between the different classes of subjects."

My Honourable friend will notice that, while one of the phrases is to raise discontent or disaffection among His Majesty's subjects, if you take it along with the entire paragraph, it will be seen that the working of the sedition law in England is more or less on the lines of my amendment.

Now, Sir, there is one criticism which I want to make on this section 124-A. and I should like to have an authoritative answer from the Treasury Benches after I have referred to the cases. Now, Sir, what is meant by the phrase Government established by law in section 124-A? I should like especially the assistance of the Honourable the Law Member on this matter. I shall give him some cases, and he may look up other cases. What is the meaning of the phrase "government established by law in British India"?

The Honourable Sir Henry Craik: That is a question for the Courts of law to answer.

Mr. S. Satyamurti: I merely want to ask the Government: take the Provinces, for example, where, I am told, except the Governor who will be in the background, and his job is not to interfere except when his special interests are affected. What is going to be "the Government established by law" in the Provinces? Is it or is it not going to be the Ministry in power?

Pandit Krishna Kant Malaviya (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): And what is the difference between a Government established by law and a Government established by force?

Mr. S. Satyamurti: Now, Sir, I want to ask this question for this purpose. If, in the provinces, responsible government is to function, how will these words be interpreted by the "Local Government", which will sanction the prosecution, or by the Courts:

"Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards Her Majesty or the Government established by law in British India," etc.

Supposing my Honourable friend is in office and I am the Opposition, how am I going to displace him?

The Honourable Sir Nripendra Sircar: It is the other way; I am in the Opposition, you are in the Ministry. (Laughter.)

Mr. S. Satyamurti: Very well; I will suppose I am a Minister and I desire to be in the Ministry for all time. How is my Honourable friend going to dislodge me except, by "words, spoken or written", and by "signs and visible representations or otherwise", bringing me and my Government into "hatred or contempt" or "exciting disaffection" towards me?

The Honourable Sir Nripendra Sircar: I shall say, he is quite a charming man, but has made mistakes. (Laughter.)

Mr. S. Satyamurti: Evidently, my Honourable friend has only fought and lost elections; I have fought and won them. Therefore, I will tell my Honourable friend that, if he goes about saying that I am a charming man, he will not get any votes. (Laughter.) There are some things which even the Honourable the Law Member can sit at my feet and learn.

The Honourable Sir Nripendra Sircar: I suspected this was for catching votes.

Mr. S. Satyamurti: In a democracy we believe in catching votes and not in catching the tails of Governors and Viceroy. (Laughter.) We believe we serve our country better by catching votes, than by catching Viceroy and Governors. I suggest that, within a democratic responsible

must have the power to dislodge me from my position, by creating disaffection against me. And if my Honourable friend goes about saying in election propaganda, that I am a charming man, he makes a mistake. The voter will tell him that, I being so charming, he must vote for me. It seems to me that responsible government in the provinces will become a mockery, if this section, as it is worded and as including the words "Government established by law in British India", are to be interpreted as the Courts have interpreted it. That is my real difficulty. Unless you confine the mischief of this section to attempts to create violence or public disorder, you are going to place a weapon in the hands of powerful and, perhaps sometimes, unscrupulous political parties who may not hesitate to use them against their political enemies. Sir, I was going to say one thing which may please my friend and displease others. But I will say this. An irremovable executive has less temptation,—although this executive seems to have more,—generally has less temptation to fight the opposition than a removable one.

The Honourable Sir Nripendra Sircar: We have no temptation for unfair fight.

Mr. S. Satyamurti: And yet you offend us. Without any provocation, you go on insulting us. I merely say this; that an irremovable executive has no need to punish the Opposition and nothing to fear from them. But an executive whose tenure of life depends upon fighting the Opposition and keeping them in a minority has a tremendous temptation to use all weapons in its power, in order to prevent the Opposition from ever coming into power. I, therefore, suggest, Sir, seriously, as one who understands the implications of democratic government, that to leave to political parties in the provinces this powerful weapon will not help the development of those responsible political parties, on whose development alone we can hope for real responsible government in the provinces. As one who feels that he will be in a majority for all time to come, I am willing to pass a self-denying ordinance on myself. I do not want even the Congress Ministries to have this power in their hands.

I want to say another thing, and I hope I shall not be misunderstood. I do not want to say one word which will make the communal situation worse than it is, or will not make it better; but I do warn all my friends inside this House and outside that there are communal parties in the various provinces. It is a matter to be regretted . . .

Mr. M. S. Aney (Berar Representative): May I just understand one thing from my Honourable friend? Does he mean to say that repressive laws are safer in the hands of an irresponsible bureaucracy than in the hands of a responsible ministry?

Mr. S. Satyamurti: No, Sir. What I want to say is that this Government has less temptation to enforce those laws. I am talking in the abstract. As to the ways of this Government, my Honourable friend knows them and I know them. But, I am talking in the language of abstract political philosophy, that an irresponsible executive has no need to enforce powers against the Opposition. As a matter of human political psychology, when an executive is removable, it has greater temptation to use those powers which are in its hands, than an irremovable one. I, therefore, do not want to give them this power; I fear they will be more grossly abused, even than by an irremovable executive.

[Mr. S. Satyamurti.]

My next point is this; I was on this communal matter. There are unfortunately communal parties. We are all hoping, and I trust, that the better minds, better brains, and the better hearts of all communities will unite together to produce real political parties in this country based on political, and economic aims, and ignoring all communal differences. I trust, the day will come soon; but, in the meantime, I want that there should be no power in the hands of any communal party, minority or majority as it may be, which may be abused by them as against their so-called enemies. That is also a danger which I want this country to be protected against.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Then, Sir, how is democracy going to function in the provinces? Democracy has been well defined as government by discussion; that is to say, I must be able to go to the constituencies, if I am Minister, to explain my programme, and get them to give me a vote of confidence; my Honourable friend ought also to be able to go and say to them: "This programme is wrong, these measures are wrong, the taxes are heavy, and the taxes ought not to be levied like this, that expenditure is too much and this is too little, this Government does not deserve your support". I want to put it to my Honourable friend, whether it is possible to carry on a raging and tearing propaganda like this throughout the provinces in this country, without exciting disaffection against the government established by law. Is it possible?

Mr. Sham Lal (Ambala Division: Non-Muhammadan): What happened to Dr. Satyapal?

Mr. S. Satyamurti: My Honourable friend reminds me that, during the last Assembly elections, Dr. Satyapal, our esteemed friend and colleague, President of the Punjab Provincial Congress Committee, a man who for his patriotism has paid the enormous price of being in jail for nearly half his life, that gentleman went about on electioneering propaganda supporting the Congress candidates against others; and for that he got a year for sedition. And I want to suggest that elections become a farce, if all of us are to remain merely contented people, praising Government and calling them charming people who occasionally make mistakes, and, therefore, those charming people should not be voted into power.

The Honourable Sir Nripendra Sircar: Not occasionally, but habitually make mistakes.

Mr. S. Satyamurti: To the best of my knowledge, my Honourable friend is the only charming man who habitually makes mistakes. I do not think I know any other charming man who makes habitual mistakes. Therefore, he cannot have that argument.

I also put it to my European friends here and I want them to consider this. They are bound to live in the provinces, where we are going to be in charge of law and order. How would this section work? They will have to deal with me and my countrymen. How would they like it if I, in my province, can prosecute all of them for "words, spoken or written, or signs, or visible representation, or otherwise" bringing or attempting to "bring into hatred or contempt," or "exciting disaffection" towards me? (Laughter.) I want them to consider this.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): *Explanation 3* would operate there.

Mr. S. Satyamurti: I have a learned lawyer there, who suggests that *Explanation 3* comes in. *Explanation 3* runs thus:

"Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection do not constitute an offence under this section."

I put it to my Honourable friend; I am afraid, he has no experience of this. Supposing I go and say that this Government has piled unjust taxes upon unjust taxes, this Government is mispending the public money, this Government is making bad laws, this Government does not put down corruption in its own ranks, this Government does not vindicate the rule of law,—am I not bringing the Government into contempt?

Sir Muhammad Yamin Khan: Not under the *Explanation*.

Mr. S. Satyamurti: My friend is a Member and not a Judge—I will read another case presently. My Honourable friend, the Leader of the Opposition, who has argued some of these cases, will later on join in the debate, I hope, and answer my friend that these words have been construed as creating disaffection. This idea that you can have affection towards a Government which habitually makes mistakes is one, only worth the genius of the Law Member. Unfortunately, Sir, in this country, knowing human psychology as I do, it is impossible to criticise the actions of a Government continuously—so strongly as to withdraw all the support from them without coming within the mischief of this section. But, coming to *Explanation 3*, it is only this: The whole object is "with a view to obtain their alteration by lawful means" and "without exciting or attempting to excite hatred, contempt or disaffection". My object in electioneering propaganda will be not to get the measures changed, but to get the Government changed, so that I may be in their position, and make better measures or abolish the bad measures. Does my friend follow? It is no longer a case of trying to merely get laws changed, taxes changed, it is an attempt to change the Government itself. Therefore, that people will vote for me and vote against the Government, having the utmost respect for them and contempt for me, is a phenomenon with which I am not familiar. People do not vote only for Governments which they do not care for, and not caring for a Government and holding it in contempt is a very subtle process of distinction. Therefore, I put it to my friends in all sections of the House that this law, as it stands, is a danger in the hands of any Government, and certainly this irresponsible Government has proved that it cannot be trusted with their votes. I fear, Sir, that when provincial autonomy comes, if it does come, it will be found that there is no adequate protection for free criticism which ought to be the right of every citizen in a free and self-governing country. That is why I feel that my words should be there, namely "with the intention of promoting physical force or violence or public disorder". Short of that, the words ought not to be punishable.

I will now read to my friend, who interrupted me, a few cases to show how this section has been interpreted by learned Judges of Indian High Courts; most of them come from Calcutta.

Mr. F. E. James (Madras, European): Are there any from Madras?

Mr. S. Satyamurti: They are a very fine set of people in Madras. But, wait till we become Ministers and you talk sedition against us. We shall then prosecute you!

The first case was decided by Chief Justice Rankin and Justices Subramanyam and Pearson:

"The words used by the legislature (in S. 124-A) are the 'Government established by law in British India'. The section does not contemplate the probability of attempts being made to excite hatred and contempt against abstractions, but uses a clear phrase for a definite thing, and, therefore, it is no defence to say that the attempt to excite hatred and contempt was directed solely against the particular form of Government now obtaining in India, and not against the fact of the Government. Any advocacy regarding change in the form of Government as bringing into hatred or contempt or exciting disaffection towards the present Government comes within the mischief of S. 124-A."

Is my friend answered? That is Chief Justice Rankin.

The Honourable Sir Nripendra Sircar: What is the name of the case?

Mr. S. Satyamurti: The name of the case is—

"In the matter of Sejoni Kanta Das.

and
In the matter of 'India in Bondage :
Her Right to Freedom'."

An Honourable Member: What is the Volume?

Mr. S. Satyamurti: All-India Reporter, Calcutta, Volume 1930, page 244.

The Honourable Sir Nripendra Sircar: I think I appeared in the case.

Mr. S. Satyamurti: I will just find out. "The Advocate-General for the Crown." I thought so.

The Honourable Sir Nripendra Sircar: I am responsible for the good law laid down there.

Mr. S. Satyamurti: Bad law. If it is good law, this Bill is essentially sound. I thought it was bad law. I have the authority of the Law Member to say that it is good law. If it is so, my case is strengthened. If this is good law, God help us! I will now read another part of the judgment:

"Mr. Chatterjee suggested that there was room for a distinction between the fact and the form of British Government of India and contended that the attempt, if any, to excite hatred and contempt was in this book directed solely against the particular form of Government now obtaining, and was thus innocent under the section. The words used by the legislature are 'the Government established by law in British India.' The section does not contemplate the probability of attempts being made to excite hatred and contempt against abstractions, but uses a clear phrase for a definite thing, and it would be altogether misinterpreted if effect were given to Mr. Chatterjee's argument. The book itself, moreover, fails altogether to fall into line with the distinction suggested."

Then follow the important words:

"People who are so unfortunate as to be unable to advocate change in the form of Government without attempting to bring into hatred or contempt or to excite disaffection towards the Government established by law have not been specially favoured by the legislature either by the terms of the section itself or by the explanations. They may take their grievance, if any, to the legislature, but the section while it stands must be interpreted according to the plain and natural meaning of its words. In my opinion, this application must be dismissed."

I, therefore, follow the advice of Chief Justice Rankin and of the full bench of the Calcutta High Court. We have a grievance and we have brought it to the Legislature.

Mr. Sham Lal: But the Advocate-General happens to be the Law Member.

Mr. S. Satyamurti: He has only one vote.

The Honourable Sir Nripendra Sircar: I hope you realise that the head note is wrong.

Mr. S. Satyamurti: The head note says:

"Any advocacy regarding change in the form of Government, as bringing into hatred or contempt or exciting disaffection towards the present Government, comes within the mischief of section 124-A."

My point is this. It is argued—my Honourable friend attempted that—that you can not only criticise measures of Government, but you can also say something which may affect the Government in power. So long as you do not attack the Government as such, you will be protected. This case says, no. This case clearly lays down, by the decision of a full bench, that the words used by the Legislature are "the Government established by law in British India"; the section does not contemplate the probability of attempts being made to excite hatred and contempt against abstractions, but uses a clear phrase for a definite thing; and it says that people, who are so unfortunate as to be unable to advocate a change in the form of Government without attempting to bring into hatred or contempt or to excite disaffection towards the Government established by law, have not been specially favoured; they may take their grievances to the Legislature.

My grievance is that it is impossible to change a ministerial form of Government by another ministry taking its place, without coming within the mischief of the section, as this case, according to my Honourable friend, rightly lays down. Therefore, I have brought the grievance to the Legislature, and I want the Legislature to redress my grievance by accepting my amendment.

The next case I want to refer to is reported in 56 Calcutta, 1085. *Emperor v. Satya Ranjan Bakshi*:

"Advocating expressly any form of rebellion is not a necessary element in an offence under section 124-A of the Indian Penal Code. It is quite possible by the abuse of Government officials to make an endeavour to bring into hatred or contempt the Government established by law in British India."

[Mr. S. Satyamurti.]

I have already told the House that to advocate a change in the form of Government may, and does bring the person within the mischief of this section. This case answers another point. The same eminent Judge, Chief Justice Rankin, and Justice C. C. Ghose,

The Honourable Sir Nripendra Sircar: And the same eminent counsel?

Mr. S. Satyamurti: Yes: now there is the name also—Mr. N. N. Sircar for the Crown. The Judges say:

"We have to read the article solely from the point of view of seeing whether we are satisfied by the internal evidence of the article itself that as a fact, 5 P.M. the writing or publication of the article was a successful or unsuccessful attempt to bring into hatred or contempt or to excite disaffection towards the Government established by law in British India. It does seem to me that, for the purpose of the present question, from the words used by the writer it is necessary to go into an analysis of the phrase 'The Government established by law in British India'. Since the case of *Queen Empress v. Bal Gangadhar Tilak* was decided, various changes in form and, to some extent, in principle have been introduced into the constitution which obtains in British India. But we have in this case to see whether the article is an endeavour to express disapprobation against certain measures of Government, without exciting or attempting to excite hatred, contempt or disaffection or whether in one guise or another an attempt to excite hatred, contempt or disaffection towards the Government established by law in British India is a part of the purpose of the writer. The article begins by a reference to State Prisoners and persons who have been in prison under certain legislation without trial by the ordinary tribunals. It makes a reference to 'living burials' taking place every month in the plains of Siberia"

Then, the judgment summarises certain features of the article, and His Lordships goes on to say:

"My only purpose in making any citation from this article is to show why I think that the article (which is certainly full of hatred and bitterness) is clearly directed against the Government established by law in British India. It is doing exactly what Mr. Justice Strachey in the case cited said must not be done."

Incidentally, this proves my contention that the amendment of the section has made no difference whatever in the meaning of the section. . . .

Mr. President (The Honourable Sir Abdur Rahim): I think we had better stop here today.

STATEMENT OF BUSINESS.

The Honourable Sir Nripendra Sircar (Leader of the House): With your permission, Sir, may I state the business for next week? Honourable Members are aware that from Monday to Thursday, next week, the House will be engaged in voting demands for the grants included in the Railway Budget and that the General Budget will be presented at 5 P.M., on Friday. I have, therefore, only to state that Government have decided not to ask for an ordinary meeting of the House on Friday.

The Assmbeely then adjourned till Eleven of the Clock on Monday, the 24th February, 1936.

LEGISLATIVE ASSEMBLY.

Monday, 24th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

MEMBER SWORN.

Mr. Arthur Eric Tylden-Pattenson, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

ANGLO-INDIANS IN THE RAILWAY AND POSTS AND TELEGRAPHS DEPARTMENT.

730. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have perused the statement made in a special interview by Lieut.-Colonel Sir Henry Gidney, published in the *Times of India*, dated the 5th December, 1935;
- (b) whether they propose to increase the rates of pay of the Anglo-Indian employees in the Railways and the Posts and Telegraphs; if so, the reasons therefor; and
- (c) whether there are proposals to increase the number of Anglo-Indians employed in this Department or of their percentage; if so, the reasons therefor?

The Honourable Sir Henry Craik: (a) Yes.

(b) No such proposals have been formulated, but the complaint that the revised scales of pay for subordinates on the Railways are insufficient to attract properly qualified Anglo-Indian recruits is being investigated.

(c) No.

Mr. S. Satyamurti: Investigated by whom?

The Honourable Sir Henry Craik: By the Departments concerned.

Mr. S. Satyamurti: May I know whether it is being investigated by the Railway Board, with regard to railways?

The Honourable Sir Muhammad Zafrullah Khan: By the Railway Department, Yes.

Mr. S. Satyamurti: May I know what is the material on which Government have come to the conclusion that the revised scales of pay are not attracting qualified Anglo-Indians of the right type?

The Honourable Sir Muhammad Zafrullah Khan: Government have not come to that conclusion. As my Honourable colleague has just explained, the matter is being looked into.

Mr. S. Satyamurti: May I know, Sir, why the matter is being looked into? Is it because of a certain letter which appeared in the newspapers, under the signature of a distinguished Member of this House?

The Honourable Sir Muhammad Zafrullah Khan: I am sure, Honourable Members will welcome the position that when anything is put forward before the Government, it is looked into.

Mr. S. Satyamurti: I am asking whether, in the present state of the parlous position of the railway finances, Government are justified in trying to increase the expenditure on railways.

The Honourable Sir Muhammad Zafrullah Khan: I have said nothing to justify the inference that we are going to add to our expenditure.

Mr. S. Satyamurti: Then, why is this matter looked into?

The Honourable Sir Muhammad Zafrullah Khan: Every suggestion which is put forward has got to be looked into to see whether there is any merit in it.

Mr. S. Satyamurti: Have Government come to any tentative conclusions that they can increase the expenditure under any head on the railway side?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. S. Satyamurti: Will Government consider the impossibility of adding to railway expenditure, in the present state of the railway finances?

The Honourable Sir Muhammad Zafrullah Khan: Government will consider every relevant factor which would enable them to arrive at a decision.

Mr. S. Satyamurti: Is there any material before Government to indicate that Anglo-Indians of the right type are not available for railway service?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member means whether there has been any falling off in the required percentages; without going into exact details, I don't think so.

Mr. S. Satyamurti: Are not such Anglo-Indians, as are being recruited today, qualified for the places which they occupy?

The Honourable Sir Muhammad Zafrullah Khan: It is really asking for my opinion, and it is difficult to express an opinion.

POSITION OF INDIANS IN IRAQ.

731. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether it is a fact that recently the Government of Iraq has served notices on Indian Ship-Owners and traders in Basrah, to quit the country within three months;
- (b) whether, while certain notices were cancelled, fresh notices continue to be served;
- (c) whether there is any proposal by the Government to enact a new law called "Labour Protection Law" which will adversely affect the position of Indians there;
- (d) whether they have taken or propose to take steps to secure for Indians in Iraq the same freedom and privilege which Government grant to the people of Iraq in India; and
- (e) whether Government propose to make a statement on the latest position in this matter?

Sir Aubrey Metcalfe: (a) to (c). The Honourable Member's attention is invited to the answer given by me to Sardur Mangal Singh's question No. 239.

(d) and (e). The Honourable Member's attention is invited to the answer given by me to parts (b) and (c) of his question No. 726.

Mr. S. Satyamurti: On clause (b), I should like to know whether fresh notices, to the knowledge of this Government, continue to be served on Indians?

Sir Aubrey Metcalfe: No, Sir; we have had no further information beyond what I have already given to the House.

Mr. S. Satyamurti: Will Government call for information on the specific point whether, when certain notices were cancelled, fresh notices are being served on Indians?

Sir Aubrey Metcalfe: I have already asked His Majesty's Ambassador to give us all possible information, but I will make particular inquiry on that point if the Honourable Member so desires.

Mr. S. Satyamurti: Before the Session ends, will the Honourable Member make a statement on the latest position in this matter, as it is a matter of great public importance, causing grave anxiety to us?

Sir Aubrey Metcalfe: If any further information of value is received before the end of the Session, I should be very glad to make a statement.

DECISION OF THE INDIAN LICENSING COMMITTEE.

732. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they have received a representation from one Mr. Chhabla from Assam about the decision of the Indian Licensing Committee;

- (b) whether they have examined the representations contained therein, and what the result of that examination is, and
- (c) what action, if any, they propose to take thereon?

The Honourable Sir Muhammad Zafrullah Khan: I presume the Honourable Member's question refers to Mr. Chulia, and not to Mr. Chabla.

(a) Yes.

(b) Government have carefully considered the representation, but they have been unable to accede to the request made therein.

(c) The decision has already been communicated to the appellant.

EMPIRE MIGRATION.

733. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether their attention has been drawn to the speech of Mr. Hannah, in the course of a debate in the House of Commons on the 18th of December, 1935, on Empire migration;
- (b) whether it is a fact, as stated by Mr. Hannah, that millions from British India sought for new homes;
- (c) whether it is a fact, as stated by Mr. Hannah, that the Dominions for good reasons did not want men of Asiatic stock;
- (d) whether they are aware of the meaning of what the "Good reasons" mean?

Sir Girja Shankar Bajpai: (a) Yes.

(b) Mr. Hannah's exact words are: "British India has teeming millions who seek new homes".

(c) The Dominions do not encourage permanent settlement in their territories of non-Europeans. The question whether the reasons underlying this policy are good or bad is one of opinion.

(d) Mr. Hannah alone can say authoritatively what he meant.

Mr. S. Satyamurti: Will Government take steps to prohibit the permanent settlement of non-Asians in this country?

Sir Girja Shankar Bajpai: Does my Honourable friend mean entry for purposes of permanent residence?

Mr. S. Satyamurti: As the Dominions do not encourage the permanent settlement of non-Europeans, that is what I thought I heard the Honourable Member to say; if that is so, may I know, Sir, if Government are considering, or will consider taking steps to prohibit the permanent settlement of non-Asians in this country?

Sir Girja Shankar Bajpai: An Act to regulate entry is on the Statute-book, but Government have not yet decided to take any action under it.

Seth Govind Das: What steps are Government going to take to allow non-Asians to become permanent residents in the Dominions?

Sir Girja Shankar Bajpai: Indians are already permanently resident in the Dominions. It is only as regards fresh entrants that there are restrictions.

Seth Govind Das: What do Government propose to do to remove these fresh restrictions?

Sir Girja Shankar Bajpai: Well, Sir, I answered a question on that subject the other day, and I explained that in 1918 the Government of India agreed that, as regards permanent settlement in the Dominions, the Dominions had the right to restrict the right of entrance.

Mr. T. S. Avinashilingam Chettiar: What steps do Government propose to take against nationals of those countries who prohibit the permanent settlement of Indians in their countries?

Sir Girja Shankar Bajpai: I have already answered that question.

EMPLOYMENT FOR EX-SOLDIERS SECURED BY THE WAR OFFICE EMPLOYMENT BUREAU AND BY THE ARMY HEADQUARTERS INFORMATION BUREAU.

734. *Seth Govind Das: Will Government be pleased to state:

- (a) whether it is a fact that the War Office Employment Bureau and Information Bureau of Army Headquarters in India have secured employments for ex-officers during the year 1934-35;
- (b) whether it is a fact that the employments so secured were mainly due to response made to personal letters written to Governors of provinces by Sir Philip Chetwode and the assistance given by ruling princes;
- (c) whether it is a fact that the employment of ex-officers is becoming the increasing and important part of Information Bureaus' work;
- (d) the number of employments secured by the War Office Employment Bureau and the number secured by the Army Headquarters Information Bureau;
- (e) the number of employments secured by each of the two Bureaus in and for (1) Indian States, (2) Secretarial, (3) Welfare, (4) Government Departments, (5) Hospitals, (6) Scholastic, (7) Literary, (8) Government of India, (9) Clubs, (10) Churches, (11) Lands, (12) Prisoners and Prisons, (13) other occupations; and
- (f) the policy underlying this method of securing employments for ex-Government Officers despite the fresh qualified candidates available in large numbers and the growing unemployment problem in the candidates suitably qualified?

Mr. G. R. F. Tottenham: (a) Yes.

(b) No, but the efforts made have certainly been assisted by the interest taken in the matter by the personages referred to.

(c) The primary object of the Information Bureau was to collect and supply information. Having completed this task the work of keeping the information up to date and assisting officers to obtain employment after retirement will shortly revert to the Military Secretary's Branch at Army Headquarters as part of its normal duties.

(d) 72 officers have succeeded in gaining employment outside India, through the War Office Bureau, and 32 officers have gained employment through the Army Headquarters Bureau, of whom 30 have been given employment in India.

(e) I assume that the Honourable Member is referring only to employment in India. The information is as follows:

| | |
|----------------------------------|---|
| Indian States | 6 |
| Secretarial | 3 |
| Government Departments | 6 |
| Schoolastic | 2 |
| Government of India | 4 |
| Clubs | 2 |
| Prisons | 7 |

Of these 30 appointments 15 are of a military or semi-military nature, while all but one of the remainder are appointments for which military officers were particularly suitable by reason of their training.

(f) The policy is to assist officers who have been compelled to terminate their careers in the Army prematurely owing to the War Block Scheme to obtain suitable employment elsewhere. As the figures which I have quoted show, the action taken can have had no appreciable effect on the problem of middle class unemployment in this country.

Mr. S. Satyamurti: As regards these officers, were they serving in India?

Mr. G. R. F. Tottenham: Yes, they were officers of the Indian Army.

Mr. S. Satyamurti: How many of them are Indians, and how many are Europeans for whom employment has been secured?

Mr. G. R. F. Tottenham: I could not answer that without notice, but I do not think many Indian officers of the Indian Army have yet been put on the special unemployed list on account of the War Block. I think most of those, who have already been put on the special unemployed list, owing to the War Block, have so far been British officers.

APPEAL FOR ADDITIONAL EXEMPTED LAND FOR INDIANS IN THE TRANSVAAL GOLD MINE AREAS.

735. *Seth Govind Das: Will Government be pleased to state:

- (a) whether they are aware that Sir Saiyad Raza Ali made an appeal to the Colonial Secretary in His Majesty's Government for additional exempted land for Indians in the Transvaal gold mine areas;

- (b) whether the appeal was submitted direct to His Majesty's Government, forwarding a copy to the Government of India, or whether the appeal was submitted through the Government of India;
- (c) in the event of the appeal having been made through the Government of India, whether they made any endorsement thereon;
- (d) what were the recommendations, if any, on the appeal;
- (e) whether they are prepared to lay on the table a copy of the appeal along with the recommendations, if any made; and
- (f) whether the Colonial Office of His Majesty's Government have expressed their views on the matter, if so, what they are?

Sir Girja Shankar Bajpai: (a) No.

(b) to (f). Do not arise.

RETENTION OF TRADE CONNECTIONS WITH GERMANY.

736. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether by the adoption of Germany's compensation trade and clearing agreements, she has changed her sources of raw material supplies of what she used to import from India;
- (b) whether they are aware that these conditions are likely to continue for a decade more;
- (c) whether they have considered the possibility of any ways and means for retaining the connection in trade between this country and Germany by mitigating the circumstances of the development of compensation trade, unless such arrangement would permanently postulate the permanent disappearance of India's favourable balance, of trade with Germany; and
- (d) if they have come to a decision in the matter, what it is?

The Honourable Sir Muhammad Zafrullah Khan: (a) Germany is to a certain extent deriving from countries with which she has concluded clearing or compensation agreements, supplies of raw materials in the export of which India is interested.

(b) No.

(c) and (d). Government have considered the matter and have come to the conclusion that no action can usefully be taken at this stage. I may add that there has recently been an improvement in India's balance of trade with Germany.

Seth Govind Das: Has Germany adopted this policy as a result of the Ottawa Agreement?

The Honourable Sir Muhammad Zafrullah Khan: I do not know the mind of the German Government, but I do not think so.

LENDING OF ARMY OFFICERS FOR FOREIGN SERVICE.

737. *Seth Govind Das: Will Government be pleased to state:

- (a) whether they, with the approval of the Secretary of State, contemplate lending the services of some of the Army Officers for foreign services;
- (b) whether they, with the approval of the Secretary of State, have sanctioned the adoption of special rates of pension contribution or their equivalent where Indian Army officers are lent for foreign services;
- (c) what the special rates so sanctioned are;
- (d) whether there are any Indian officers who are likely to be selected for such foreign services;
- (e) whether the vacancies created by the Army officers lent for foreign services, will be filled up; if so, by whom, whether they will be Europeans, Indians or whether such vacancies will be filled by the officers of the lower ranks; and
- (f) who will meet the extra amount so sanctioned for their pensions?

Mr. G. R. F. Tottenham: (a) and (b). It has for many years been the practice to lend officers for service under foreign Governments when asked for, but it was recently found that since the pensionary contributions for officers of the Indian Army were higher than those for officers of the British service, foreign employers tended to prefer the latter. As the experience gained by officers on foreign service is of positive value to the Indian Army, it was decided to reduce these contributions to the level of those payable for officers of the British service.

(c) I invite the attention of the Honourable Member to Army Instruction (India), No. 95, dated the 24th December, 1935, a copy of which I lay on the table.

(d) If foreign Governments ask for Indian officers, endeavours will certainly be made to supply them.

(e) and (f). The places of these officers will be taken by officers junior to them in the service, irrespective of race, and since Government thus pay a junior instead of a senior officer, there is a certain financial saving to put against the difference between the two scales of pension contribution, the whole of which would otherwise have to be borne by Government.

ARMY INSTRUCTION (INDIA) No. 95, DATED THE 24TH DECEMBER 1935.

Rates of pension contribution in respect of Indian Army Officers lent for service out of India.

In modification of the terms of Army Instruction (India) No. 51 of 1933, the Government of India, with the approval of the Secretary of State, sanction the adoption of the special rates of pension contribution (or their equivalent) mentioned below in cases where Indian Army Officers are lent for foreign service out of India under the conditions set forth in paragraph 3 below. In all other cases the rates in Army Instruction (India) No. 51 of 1933 will apply.

| | £ per annum. |
|---------------------------------------|--------------|
| Medical and Dental Officers | 130 |
| Veterinary Officers | 115 |
| Other officers | 105 |
| Quartermasters | 70 |

(i) There rates cover service, disability and widows' and dependants' pensionary liability.

(ii) In areas where service under the rules in the Royal Warrant counts double, ninety per cent. is added to these rates.

2. The above rates will apply to officers lent for service on and after the 5th March 1935, and will be subject to review at the end of five years in the light of the conditions which may then prevail.

3. The application of the above rates will be restricted to cases in which H. E. the C-in-C. in India is satisfied that the loan will be in the interests of the Army in India. Before an officer to whom these rates apply proceeds on foreign service he will be required to sign an undertaking to return to India on completion of such service and to continue to serve in India for a reasonable period after his return, if required to do so. The officers so lent shall remain liable to recall to military duty before the expiry of their normal tenure in foreign service should exceptional circumstances arise, such as general mobilisation.

4. The term foreign service out of India means service under all foreign Governments outside India including Colonies, Protectorates and Federated Malay States, but excluding War Office and Air Ministry.

Seth Govind Das: For how long will this rule be in force?

Mr. G. R. F. Tottenham: The new orders came into force only last December.

Mr. T. S. Avinashilingam Chettiar: What are the foreign services referred to here?

Mr. G. R. F. Tottenham: The terms are to be found in this Army Instruction which I am laying on the table of the House.

Mr. S. Satyamurti: So far, have any Indian officers been lent for such foreign service?

Mr. G. R. F. Tottenham: I do not think so.

Mr. T. S. Avinashilingam Chettiar: Why not?

Mr. G. R. F. Tottenham: They have not been asked for.

Mr. T. S. Avinashilingam Chettiar: Who asks for them?

Mr. G. R. F. Tottenham: Foreign Governments.

ASSISTANCE TO PRIVATE CIVIL AVIATION.

738. ***Seth Govind Das:** Will Government be pleased to state:

(a) whether the Honourable the Finance Member was approached by the Indian Chamber of Commerce, Bombay, for the purpose of securing Government assistance to private civil aviation by private airways firms;

(b) whether the Honourable Member expressed his views on the issue raised; if so, what they were;

(c) whether they have no desire to subsidising private enterprise for the purpose of internal development in civil aviation;

- (d) what their policy in the matter is;
- (e) whether they have considered that such development of internal civil aviation would pay commercially;
- (f) whether they are prepared to consider the issue that assisting private enterprises to use military aerodromes for civil purposes would develop and improve the condition of the aerodromes would be an indirect assistance to military authorities in times of war; and
- (g) whether the Army authorities are averse to allowing the military aerodromes for civil purposes; if so, why?

The Honourable Sir Frank Noyce: (a) No.

(b) No.

(c) and (d). The policy of the Government of India, in present financial circumstances, does not cover the subsidisation of internal air transport services. Financial assistance is, however, given to Messrs. Tata Sons, Ltd. and Indian National Airways, to the extent of exemption from landing and housing charges at Government aerodromes on the Karachi-Madras and Karachi-Lahore air mail services, respectively. Since the year 1929-30 Government have given financial aid to certain flying clubs. It is also proposed to make a grant of Rs. 1,12,000 to Indian National Airways, Ltd., for the year 1936-37, with the specific object of maintaining in existence an Indian organisation capable of undertaking the development of the Karachi-North-West India air service which may be required in 1937 as a result of certain developments in the Empire Air Mail Services.

(e) Experience in India, as in other countries, has shown that the operation of air transport services unsupported by subsidy is not profitable except in special conditions, such for example as exist in the case of the Karachi-Madras air mail service operated by Tata Sons, Ltd. The Government of India do not know of any other existing or possible air route in India where the traffic is or would be sufficient to make a regular air service commercially profitable.

(f) and (g). Civil aircraft are at present allowed certain facilities by the Defence Department but these must obviously be conditional on the requirements of the Defence Services, and they are, accordingly, to some extent, restricted.

The regulations are contained in the Air Pilot, India and Burma, 1933 (price Rs. 4-14-0).

Mr. Lalchand Navalrai: May I know from the Honourable Member if there is any idea of giving a subsidy to the Himalayan Airways, Ltd.?

The Honourable Sir Frank Noyce: No.

Sir Cowasji Jehangir: May I ask the Honourable Member whether the subsidy he has mentioned in his answer is in the present budget?

The Honourable Sir Frank Noyce: It will not be given till the next financial year.

Sir Cowasji Jehangir: Is it provided in the next budget?

The Honourable Sir James Grigg: I have not yet disclosed anything about the next budget.

Sir Cowasji Jehangir: I understand it was before the Standing Finance Committee?

The Honourable Sir James Grigg: That is so, but it has not been voted by this House yet.

Mr. S. Satyamurti: Has the Standing Finance Committee rejected it?

The Honourable Sir James Grigg: They cannot reject it; they have advised against it.

Mr. S. Satyamurti: Notwithstanding that rejection, the Honourable Member is going to place it in the budget?

The Honourable Sir James Grigg: Yes, Sir.

Seth Govind Das: Are Government going to follow the advice of the Standing Finance Committee?

The Honourable Sir James Grigg: No, Sir.

Mr. M. Ananthasayanam Ayyangar: Is it a fact that the Himalayan Airways have undertaken to carry the mail from Karachi to Lahore *via* Delhi without any subsidy?

The Honourable Sir Frank Noyce: They did, but they have overlooked the fact that that will not save money. Government will still have to pay for the carriage of mails between Karachi and Delhi.

Mr. M. Ananthasayanam Ayyangar: Why should you not try the Himalayan Airways?

An Honourable Member: Because this is Indian-managed!

Mr. M. Ananthasayanam Ayyangar: What is the reason for rejecting the offer of the Himalayan Airways for carrying the mails?

The Honourable Sir Frank Noyce: I am sorry I did not catch the Honourable Member's question

Mr. M. Ananthasayanam Ayyangar: I heard the Honourable Member say, in answer to my question, that the Himalayan Airways have offered to carry the mails through Delhi from Karachi to Lahore, within the same period, without any subsidy. What is the reason for the Government's refusal of such offer by the Himalayan Airways?

The Honourable Sir Frank Noyce: I have already answered that question. I have pointed out that the offer overlooked the fact that Government would still have to pay for the carriage of mails between Karachi and Delhi.

Pandit Govind Ballabh Pant: Is it the policy of the Government to stick to their proposals as they are placed before the Standing Finance Committee, irrespective of the views or comments of the Standing Finance Committee thereon?

The Honourable Sir James Grigg: There is no question of any hard and fast policy. Each case is considered in relation to the circumstances of that case.

Pandit Govind Ballabh Pant: Have Government withdrawn any of these proposals or excluded them from the budget in any case because of their regard for the views of the Standing Finance Committee?

The Honourable Sir James Grigg: Do you mean, ever in the past?

Pandit Govind Ballabh Pant: In the Honourable Member's time I mean.

The Honourable Sir James Grigg: The Honourable Member must wait and see.

Mr. M. Ananthasayanam Ayyangar: May I know from the Honourable Member whether the additional expenditure on carrying the mails from Karachi to Lahore *via* Delhi—whether it would not fall short of the Rs. 1,20,000, that is, the subsidy that is offered, by a very huge amount?

The Honourable Sir Frank Noyce: Rs. 6 a pound against Rs. 3 a pound.

Mr. M. Ananthasayanam Ayyangar: I want to know whether it will come to Rs. 1,20,000 at all.

The Honourable Sir Frank Noyce: I should require notice of that question.

Mr. S. Satyamurti: What is the procedure that the Government adopt when the Standing Finance Committee rejects a demand? Do the Government of India consider it, or does the Finance Member act for the Government of India and say, "No, I won't look at it"?

The Honourable Sir James Grigg: I am sorry I did not hear that question.

Mr. S. Satyamurti: What is the procedure adopted after the Standing Finance Committee recommends the rejection of a particular demand? Do the Government of India consider it, or does the Finance Member act for the Government of India and say, "I won't accept the advice of the Standing Finance Committee"?

The Honourable Sir James Grigg: I think, if I may say so, that this is almost an improper question.

Mr. S. Satyamurti: What is the impropriety in it, Sir? I want a ruling from you, Sir. I should think that it is a very improper answer to a proper question.

Mr. President (The Honourable Sir Abdur Rahim): It does not require any ruling. Next question—No. 739.

BI-LATERAL TRADE TREATIES AND TRADE BALANCE OF INDIA.

739. ***Seth Govind Das:** Will Government be pleased to state:

- (a) the names of such nations which have organised their foreign trade through bilateral treaties on *quid pro quo* basis *vis-a-vis* India, consequently shutting out India's goods from their markets to make room for the exports of those countries which favour their exports in their home markets;
- (b) whether it is a fact that the favourable trade balance of this country has all along been secured from her trade with countries other than the United Kingdom;
- (c) what the exact favourable trade balance of India on the whole is;
- (d) whether the total trade balance of this country is sufficient to meet her home charges and other foreign balance;
- (e) in the event of the answer to part (d) being in the negative, how much has been drawn from her capital during the last two years to meet the Home charges and other foreign obligations;
- (f) the exact amount of gold exported out of India since England went off the gold standard (in crores of rupees);
- (g) the amount of gold still remaining in India, or the nearest approximate in crores of rupees;
- (h) how much has the trade balance of India declined with non-Empire countries during the last two years (both in crores of rupees as well as in percentage);
- (i) how much it has declined with Europe;
- (j) whether it is a fact that England sells to India more than she buys from her;
- (k) whether there is scope for Great Britain to buy more from India than she actually does now;
- (l) whether there are countries that are enjoying favourable trade balances with England;
- (m) whether England tried to prevail upon those countries enjoying such favourable trade balances to enter into tripartite trade agreements for purchasing raw materials from India in larger quantities than what they might be purchasing from India at present; and
- (n) whether India cannot enter into bi-lateral trade treaties with foreign countries like the one she has done with Japan; if so; whether Government made any attempt in that direction, if so; how far they have succeeded in their attempts; if not, what are the difficulties in the way of their doing so?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Honourable Member is referred to the publication of the League of Nations entitled "Enquiry into Clearing Agreements" which deals *inter alia* with compensation arrangements between foreign countries. A copy of this publication is in the Library of the House.

(b), (c), (h), (i) and (j). The attention of the Honourable Member is invited to Chapters IV and VII of the Review of the Trade of India in 1934-35, a copy of which is also in the Library.

(d) and (e). I would refer the Honourable Member to the reply given by the Honourable the Finance Member to Mr. T. S. Avinashilingam Chettiar's starred question No. 8 on the 2nd September, 1935.

(f) Approximately Rs. 270½ crores.

(g) The information is not available.

(k) Government are unable to express an opinion on this point.

(l) The Honourable Member is referred to the Annual Statements of the Trade of the United Kingdom with Foreign Countries and British Countries, copies of which are in the Library of the House.

(m) Government have no information.

(n) Government have examined the matter and have come to the conclusion that bi-lateral trade agreements with foreign countries on a compensation or barter basis will not be in the interests of India. In this connection I may point out that the Indo-Japanese Agreement is not in the nature of a compensation or barter arrangement.

Seth Govind Das: How long will it take, in the opinion of the Government of India, for the gold to be drained entirely out of this country?

The Honourable Sir Muhammad Zafrullah Khan: That question obviously does not admit of an answer.

Seth Govind Das: How much gold do Government think is hoarded in this country?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information.

Mr. S. Satyamurti: With reference to the answer to clause (g) of the question, I thought the Honourable Member said that the amount of gold still remaining in India was Rs. 270½ crores.

The Honourable Sir Muhammad Zafrullah Khan: The reply to (g) was that the information was not available.

Mr. S. Satyamurti: Is not information available in the reports of certain previous committees? I have heard Presidents of the Chambers of Commerce and even the Finance Member, I think, state roughly how much gold there is in this country, still unexported?

The Honourable Sir Muhammad Zafrullah Khan: I do not think anybody could make an estimate, but answers have been given on information as to how much was imported into the country over a certain period.

Seth Govind Das: Has that imported gold been already exported?

The Honourable Sir Muhammad Zafrullah Khan: I believe not.

CADETS ADMITTED INTO THE "DUFFERIN".

740. ***Pandit Govind Ballabh Pant:** Will Government be pleased to lay on the table a statement giving information on the following points in regard to the 99 cadets who were admitted into the Training Ship "Dufferin" during the years 1927, 1929 and 1930:

- (a) the number of cadets who did not complete their course on the Training Ship "Dufferin";
- (b) the number of cadets who returned to civil life even after completing their training on the ship;
- (c) the number of cadets admitted into the Royal Navy;
- (d) the number of cadets who took to Marine Engineering;
- (e) the number of cadets who joined either the military college at Sandhurst or the Royal Air Force, India;
- (f) the number of cadets who have been serving as officers on steamers;
- (g) the number of cadets who have joined the Bengal Pilot Service;
- (h) the number of cadets who have joined the River Survey Service either on the Hooghly or on the Irrawady;
- (i) the number of cadets who are out of employment, although they have obtained their certificates of competency; and
- (j) the number of cadets who have completed their sea-time and who are due to sit for their examination to obtain their certificates of competency as second mate?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement giving the required information, so far as it is available, up to the end of January, 1936.

Statement giving information regarding the cadets who were admitted into the Training Ship "Dufferin", during the years 1927, 1929 and 1930.

| Part of the question | 1927 entry. | 1929 entry. | 1930 entry. | Total. |
|----------------------|-------------|-------------|-------------|--------|
| (a) | 3 | 0 | 4 | 7 |
| (b) | 1 | 1 | 1 | 3 |
| (c) | 0 | 4 | 0 | 4 |
| (d) | 2 | 2 | 4 | 8(A) |
| (e) | 0 | 1 | 0 | 1(B) |
| (f) | 13 | 17 | 0 | 30 |
| (g) | 7 | 2 | 0 | 9 |
| (h) | 2(C) | 1 | 1 | 4 |
| (i) | 0 | 2 | 5 | 7 |
| (j) | 0 | 2 | 18 | 20 |
| | 28 | 32 | 33 | 93 |

(A) Three of them did not complete training.

(B) Joined R. A. F. (Great Britain) after passing for Second Mate.

(C) One had since left.

EMPLOYMENT OF "DUFFERIN" CADETS AS OFFICERS ON STEAMERS OF SHIPPING COMPANIES.

741. ***Pandit Govind Ballabh Pant:** (a) Will Government be pleased to state, if an assurance was given by some of the British shipping companies that they would employ the cadets qualifying from the training ship "Dufferin" as officers on their steamers when the "Dufferin" was established? If so, will Government state the names of such companies, with the total number of the following in respect of each:

- (i) steamers,
- (ii) officers in the fleet,
- (iii) vacancies that occurred during the last five years, and
- (iv) "Dufferin" cadets employed as officers?

(b) What is the number of officers in the ships belonging to the Scindhia Steam Navigation Company?

(c) How many 'Dufferin' cadets has the 'Scindhia Company' taken as apprentices, and how many cadets has it engaged in its fleet so far?

(d) Is it a fact that the British India Company, with their fleet of about 70 steamers on the coast, have employed only four cadets of the "Dufferin" as officers on their steamers and that two cadets whom the Asiatic Company took as officers are no longer employed by them and that the Moghul and the Nourse lines have not employed any "Dufferin" cadets as officers?

(e) Do any shipping Companies receive any subsidies from Government for the carriage of mails, whether on the Indian coast or to the Straits, Australia, Europe, or other countries? If so, which?

(f) Which companies are ordinarily engaged by Government for the carriage of treasure and stores between India and England, or for the carriage of Government officers?

(g) How many officers are employed on the fleet of each of such companies and how many of them were recruited from among the "Dufferin" cadets?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes. The British India Steam Navigation Company, the Asiatic Steam Navigation Company and the Mogul line.

(i) The number of steamers owned by these companies, so far as Government are aware, are:

| | |
|--|-----|
| British India Steam Navigation Company | 115 |
| Asiatic Steam Navigation Company | 18 |
| Mogul Line | 7 |

(ii) and (iii) Government have no information.

(iv) I would refer the Honourable Member to the replies given by me to parts (c) and (d) of Pandit Krishna Kant Malaviya's starred question No. 8 and parts (c) and (d) of Mr. Asaf Ali's starred question No. 456 asked on the 4th and the 14th February, 1936, respectively.

(b) Government have no information.

(c) Number of cadets taken as apprentices 46

Number of cadets employed as officers 23

(d) I may refer the Honourable Member to the reply to part (a) (iv).

(e) No firms are getting any subsidies, but I assume that the Honourable Member is referring to those firms that receive under contracts payments for the carriage of mails. If so, I would refer the Honourable Member to Appendix XI of the Annual Report on the working of the Posts and Telegraphs Department for 1934-35, a copy of which is in the Library of the House.

(f) The companies ordinarily employed for the purposes referred to are the P & O., British India, Ellerman, Anchor, Clan, Bibby, Henderson, Hansa and City Lines.

(g) Government have no information regarding the total number of officers employed by the various shipping companies referred to in parts (e) and (f). So far as *ex*-“Dufferin” cadets are concerned, the British India and the Asiatic Companies have employed them as officers. As regards the number so employed, attention is invited to the reply to part (a) (iv).

Pandit Govind Ballabh Pant: How many “Dufferin” candidates are still unemployed?

The Honourable Sir Muhammad Zafrullah Khan: I have answered that question in reply to previous supplementary questions.

Pandit Govind Ballabh Pant: Is it a fact that there will be about 30 “Dufferin” candidates duly qualified for employment shortly after receiving the certificate of mates?

The Honourable Sir Muhammad Zafrullah Khan: I do not know exactly, but I think the number, who are about to obtain certificates, is 23.

Pandit Govind Ballabh Pant: Is it a fact that there are at least seven altogether unemployed today, who have approached the Government more than once?

The Honourable Sir Muhammad Zafrullah Khan: That may be correct, but I cannot give the correct figure.

Pandit Govind Ballabh Pant: Have Government made any inquiry as to the avenues that might be available, for these 23 after receiving the requisite qualification?

The Honourable Sir Muhammad Zafrullah Khan: Government have been in communication recently with the various shipping companies.

Pandit Govind Ballabh Pant: Is it a fact that the shipping companies, which are receiving patronage from the Government, have employed a much smaller proportion of “Dufferin” candidates than the Scindia Steam Navigation Company.

The Honourable Sir Muhammad Zafrullah Khan: The Scindia Steam Navigation Company have employed a very much larger number than other companies.

Pandit Govind Ballabh Pant: Is it a fact that the Scindia Steam Navigation Company have not received any patronage from the Government while the British companies have?

The Honourable Sir Muhammad Zafrullah Khan: If by patronage, the Honourable Member means whether they have got any mail contracts with Government or not, I think he is correct.

Pandit Govind Ballabh Pant: Not only have they no mail contract, but they are not employed in taking Government treasure, which Government send abroad or receive in the country and they are not employed for carrying Government servants in accordance with the Lee Commission recommendations?

The Honourable Sir Muhammad Zafrullah Khan: I do not think they have any craft which could be employed for that purpose.

Pandit Govind Ballabh Pant: The fact remains that they are not.

The Honourable Sir Muhammad Zafrullah Khan: The inference follows, therefore, that they cannot be employed for this purpose.

Pandit Govind Ballabh Pant: Was this not one of the principal points dealt with by the Indian Mercantile Marine Committee? Was it asked to make provision, so that Indians might be trained for filling the posts of officers in the vessels plying in the Indian coasts? And is it not a fact that Lord Irwin as well as the then Commerce Member gave repeated undertakings that these cadets drawn from the "Dufferin" would be employed and that the Government would even go to the length of introducing legal measures in order to get them employed by the companies plying in the coasts of India.

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will refer me to the exact assurances given, I will be able to give an answer. He will appreciate that I cannot commit myself on a general question of that kind.

Sir Cowasji Jehangir: Have Government used any pressure on these companies to get these cadets employed?

The Honourable Sir Muhammad Zafrullah Khan: They have used and are using all the persuasion they can.

Sir Cowasji Jehangir: I said "pressure"—not persuasion.

The Honourable Sir Muhammad Zafrullah Khan: What kind of pressure is the Honourable Member referring to?

Sir Cowasji Jehangir: Have not Government ideas of their own as to how to use pressure? Are they quite ignorant of such a thing?

The Honourable Sir Muhammad Zafrullah Khan: I have already replied to that question.

Pandit Govind Ballabh Pant: Will Government insist, when they enter into contracts with these shipping companies, that they will not be given the contracts unless they employ every "Dufferin" cadet available for a suitable job in their staff?

The Honourable Sir Muhammad Zafrullah Khan: A reply to that has already been given earlier. The question will be taken into consideration when the time for the renewal of the contracts arrives.

EMPLOYMENT OF "DUFFERIN" CADETS.

742. *Pandit Govind Ballabh Pant: (a) Will Government be pleased to state if it is a fact that the question of the future employment of the cadets of the training ship "Dufferin", when they obtain their certificates of competency, has been causing serious anxiety to the members of the Governing Body?

(b) Will Government be pleased to state if they have received any communication from the members of the Governing Body of the training ship "Dufferin" on the subject of employment or any change in the aims and objects of that ship?

(c) If the answer to part (a) be in the affirmative, will Government be pleased to lay a copy of such representation on the table?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Government have received from the Governing Body of the training ship, "Dufferin" two resolutions—one dealing with the question of the employment of cadets and the other relating to certain proposed alterations in the Prospectus of the Ship.

(c) I lay on the table copies of the resolutions in question.

RESOLUTION No. 205.

"Resolved that the attention of Government be invited to the fact that out of 25 Cadets of the 1929 entry who completed their sea time and would be qualified for employment as officers in 1935, it appeared that about 10 might be unemployed, and that the Government of India should be called upon to exercise its influence with the Shipping Companies carrying on trade on the coasts of India, to take a larger number of officers from the "Dufferin" proportionately to their tonnage employed in the above trades.

That the list of Companies printed in page 5 of the Prospectus should be revised and enlarged to include Shipping Companies like the City Line, Anchor Line, Clan Line, etc., and also local tonnage.

The attention of the Government of India was particularly invited to the fact that the P. & O. Company did not employ any officers ex-"Dufferin" in spite of the fact that they are enjoying a large patronage from the Government and people of India."

RESOLUTION No. 213.

The Governing Body after carefully considering the Government of India letter No 151-M. II (42)/35, dated 2nd December, 1935, resolve that the Government of India be informed that the Governing Body regret they cannot agree to the changes suggested in the Prospectus

They venture to suggest that it is neither necessary nor desirable to make any change in the Prospectus

The Governing Body had their attention drawn to Mr. M. A. Master's letter to them dated 29th December 1935 which was before the Governing Body and with the historical points in which many members of the Governing Body are in agreement.

The following Members voted for the Resolution: Sir Purshotamdas Thakurdas, Mr. Chandavarkar, Mr. Dinshaw, Mr. Munawar, Mr. Hirachand, Mr. Master, Sir Mohammad Yakub, and Mr. Flockhart.

The following members abstained from votings. The Chairman, Maulvi Abul Kasem and Mr. Hampton abstained from voting.

The Secretary was directed to reply to the Secretary, Indian Chamber of Commerce, Calcutta, to the effect that the Governing Body were in communication with the Government of India on the question.

Sir Muhammad Yakub: Have Government come to any conclusion with regard to making a change in the prospectus of the "Dufferin"?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member, being a member of the Governing Body, is aware that the proposed change in the prospectus does not relate to the curriculum, but is designed to make it clear that there is no guarantee of employment.

Sir Muhammad Yakub: That goes to the root of the matter, the purpose for which the "Dufferin" was founded?

The Honourable Sir Muhammad Zafrullah Khan: That is not a question.

EMPLOYMENT OF "DUFFERIN" CADETS AS OFFICERS ON STEAMERS OF SHIPPING COMPANIES.

743. ***Pandit Govind Ballabh Pant:** (a) Will Government be pleased to state whether they intend to make a change in the object with which the training ship "Dufferin" was started, namely.

"To obtain suitable candidates from among British Indian subjects or subjects of a Ruling Prince in India for the Indian Mercantile Marine and to train these in such a way that they may with confidence be expected to follow the sea as a career and be fit in all respects to hold their own as good and efficient officers"?

(b) Will Government be pleased to state whether it is contemplated by them to make any alteration in the prospectus of the training ship "Dufferin" with a view to giving the public to understand that Government have failed to make suitable arrangements with the Shipping Companies to ensure the employment of "Dufferin" cadets as officers?

The Honourable Sir Muhammad Zafrullah Khan: (a) No. The words quoted by the Honourable Member are taken from the Prospectus of the training ship "Dufferin", and there has been no proposal made by or on behalf of Government that they should be altered in any way.

(b) No. The Honourable Member presumably refers to other proposed changes in the Prospectus. These did not contemplate any change whatever in the curriculum or training given on the "Dufferin", but set out more fully for the information of parents or guardians the nature of the instruction given, and also made it clear that Government could not guarantee the subsequent employment at sea of all cadets. These alterations

have been considered by the Governing Body of the "Dufferin", whose recommendations have just been received and are under the consideration of Government.

Pandit Govind Ballabh Pant: Was the prospectus issued with the approval and under the authority of the Government?

The Honourable Sir Muhammad Zafrullah Khan: I believe so; but I am not quite sure.

Pandit Govind Ballabh Pant: Is it a fact that the hopes held out in the prospectus have not been fulfilled?

The Honourable Sir Muhammad Zafrullah Khan: It is a fact, as the answers to the Honourable Member's previous questions showed, that some of the cadets have not been able to obtain suitable employment.

EMPLOYMENT OF INDIAN OFFICERS ON STEAMERS OF SHIPPING COMPANIES.

744. *Pandit Govind Ballabh Pant: (a) Will Government be pleased to state the steps taken by them to implement the following assurance given by the Commerce Member on the 28th March, 1935, in reply to question No. 1129, in this House:

"In this connection the Government of India will take steps to impress on all Shipping Companies, whether British or Indian, engaged in the coastal trade the importance of employing duly qualified Indian Officers in adequate numbers"

(b) Will Government be pleased to state whether as a result of such steps the cadets of the training ship "Dufferin" are now being employed "in adequate numbers" by the British Shipping Companies as officers on their steamers? How many vacancies have since occurred in the latter and how many of these have been filled by the former?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have been in constant correspondence with the leading companies about individual cases, and have recently addressed them on the general question.

(b) Government have no information regarding the actual number of vacancies that have occurred on the steamers of the various companies. Up to date most of the qualified ex-cadets have found employment either in British or Indian companies, or in other employment in connection with the Indian mercantile marine.

Pandit Govind Ballabh Pant: Did Government address the various shipping companies after they gave this assurance on the floor of this House?

The Honourable Sir Muhammad Zafrullah Khan: Yes, Sir, on several occasions.

Pandit Govind Ballabh Pant: Have they received any replies from the companies concerned, Sir?

The Honourable Sir Muhammad Zafrullah Khan: Yes, on some occasions.

Pandit Govind Ballabh Pant: Have they met with the wishes of the Government?

The Honourable Sir Muhammad Zafrullah Khan: Not completely; Government are still pursuing the matter.

POSITION OF INDIANS IN IRAQ.

745. *Pandit Govind Ballabh Pant: (a) Is it a fact that certain laws and orders prejudicial to Indians, have been recently passed in Iraq?

(b) Has the Iraqi Majlis reserved most of the occupations in Iraq exclusively for Iraqis?

(c) Were any notices served on Indians, settled in Iraq, to leave that country last year?

(d) What is the approximate number of Indians visiting the holy places in Iraq annually?

(e) Are Government aware that the amount spent or given in charity by the Indian pilgrims in Iraq is considerable?

(f) Are Government aware that regular contributions are made every year from India for charity in Iraq?

(g) Is it a fact that India takes the major portion of the dates exported from Iraq?

(h) Is it a fact that thousands of India's soldiers were killed or disabled in the struggle to which Iraq owes her present status of independence?

(i) What is the total number of Iraqis and Indians in India and Iraq respectively?

(j) Is it a fact that many Iraqis hold lucrative positions in Government and Railway and other services in India and a goodly number are similarly employed or established in business and professions, and that the Iraqis are not subjected to any discrimination or restriction in the matter of ownership of property or otherwise, in India?

(k) Is it a fact that an Indian, wishing to enter Iraq territory, has to obtain the permission of the Iraq Government, while an Iraqi can enter India by means of a mere entry *visa* obtained from the British Consulate in Iraq?

(l) Is it a fact that the Iraq Government does not ordinarily grant such permission, unless the applicant has a running business or guaranteed employment in Iraq; while an Iraqi is not subjected to any such restriction in the matter of entry into India?

(m) Is it a fact that an Indian is required by the Iraq Government to obtain a resident permit on his landing in Iraq, such permit being ordinarily available only for one year and on payment of rupees one hundred as a security, while an Iraqi is quite free to reside in India for as long as he chooses to do so?

(n) What action do Government propose to take in the matter?

Sir Aubrey Metcalfe: (a) and (b). No. A Bill reserving certain callings for Iraqis is at present before the Iraqi Legislature.

(c) Yes. Notices are served from time to time in connection with the renewal of permits to stay in Iraq under Article 10 of the Iraq Residence Law of 1923.

(d) The total number of pilgrims who visited Iraq during 1932, 1933 and 1934 was 3,375, 3,768 and 5,891 respectively.

(e) Government have no information.

(f), (g) and (h). Yes.

(i) and (j). The total number of Indians in Iraq is about 4,500. As regards Iraqis in India, accurate information is not at present available.

(k) Yes. Under Article 5 of Iraq Residence Law of 1923, it is necessary that applications should be referred to the Iraq Government before facilities are granted.

(l) and (m). Information is being obtained and will be communicated to the House when received.

(n) Government are doing all they can to protect the interests of Indians in Iraq.

Mr. M. Ananthasayanam Ayyangar: Have Government a copy of the Bill, Sir? Is it to be introduced, or has it been introduced?

Sir Aubrey Metcalfe: The Bill has been introduced; it has been passed in some form in the Lower House and is now under the consideration of the Upper House of the Iraq Legislature.

Mr. M. Ananthasayanam Ayyangar: Are the Government of India in possession of a copy of the Bill, and will the Honourable Member place it on the table for the information of Honourable Members?

Sir Aubrey Metcalfe: I think we have a copy of the Bill as originally introduced, but I understand it has been considerably altered in the course of passage through the Legislature, and I suggest that it would be better to wait until it has been finally passed. I can, I think, produce a copy of the Bill if Honourable Members particularly wish, but it won't tell them much, because it has been considerably altered.

Mr. M. Ananthasayanam Ayyangar: Are the amendments made in favour of or against the Indians?

Sir Aubrey Metcalfe: They are neither; they do not affect Indians only, but affect all foreigners.

Pandit Govind Ballabh Pant: Are Government aware of the alterations made in the original Bill?

Sir Aubrey Metcalfe: We only had some telegraphic information on the subject; I could not give the exact alterations.

Pandit Govind Ballabh Pant: Will Government take steps to ensure that the Iraq Government will not have any discretion, under the Bill that they have introduced, to discriminate against Indians in Iraq?

Sir Aubrey Metcalfe: Sir, I would point out that the Iraq Government is a foreign Government, and it is hardly the business of the Government of India to ensure that a foreign Government does something.

Pandit Govind Ballabh Pant: If the Iraq Government persist in its present course, will the Government of India adopt retaliatory measures in this country?

Sir Aubrey Metcalfe: That, Sir, is a hypothetical question.

Sir Cowasji Jehangir: May I ask whether the Government of India will take steps to see that no discrimination is made against Indians that does not equally apply to other foreign residents in Iraq? Surely it is the duty of Government to protect Indians in foreign countries and see that they are not treated worse than any others?

Sir Aubrey Metcalfe: Sir, I have stated at least half a dozen times that there has never been any proposal to treat Indians in any way differently from other foreigners.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

REPORT OF THE TARIFF BOARD ON THE INDIAN TEXTILE INDUSTRY.

746 ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the stage at which the labours of the Indian Textile Tariff Board stand now;
- (b) when the report of the Board is expected to be published; and
- (c) what action they propose to take thereon?

The Honourable Sir Muhammad Zafrullah Khan: I wish Government knew, Sir.

Mr. S. Satyamurti: Is this Board functioning, and, if so, how?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member knows that the Board is functioning; but we have as little information as to the stage at which their labours stand as anybody outside.

Mr. S. Satyamurti: May I know, with regard to clause (c) of the question, whether Government propose to place their recommendations before this House, before they make up their minds, one way or the other?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. S. Satyamurti: Why not?

The Honourable Sir Muhammad Zafrullah Khan: That is not the usual practice. As the executive, Government make up their minds as to what action should be taken. If that action involves legislation, the recommendations are placed before this House for the purpose of legislation.

Mr. S. Satyamurti: Will Government reconsider their position, in view of the very important nature of the work entrusted to this Board and of the strong feeling in the country, and, if necessary, change their practice in these cases and consult this House, before they take the responsibility of deciding one way or the other?

The Honourable Sir Muhammad Zafrullah Khan: Government will take no different course in respect of this Tariff Board to that taken in respect of previous Tariff Boards.

Sir Cowasji Jehangir: Is it possible to carry any of the recommendations of the Tariff Board into execution without consulting the Legislature?

The Honourable Sir Muhammad Zafrullah Khan: That is a hypothetical question.

**INDIAN REPRESENTATIVE ON THE COMMITTEE OF THE LEAGUE OF NATIONS.
DEALING WITH ITALO-ABYSSINIAN DISPUTE.**

747. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether India is represented at the League of Nations, or at its Committee which deals with the Italo-Abyssinian dispute;
- (b) who the representative is; and
- (c) whether that representative gets instructions from the Government of India from time to time and if so, whether those instructions will be placed on the table of this House?

Sir Aubrey Metcalfe: (a), (b), and (c). India is represented on the Co-ordination Committee set up by the League to deal with the question of Sanctions under Article 16 of the Covenant arising out of the Italo-Abyssinian dispute by His Highness The Aga Khan, with Sir Denys Bray as substitute Delegate. The Indian representative receives his instructions from the Secretary of State acting in consultation with the Government of India. Government are not prepared to lay the papers on the table.

Mr. S. Satyamurti: May I know why the Government of India appointed a gentleman, who is now in India, as Delegate and why they appointed a gentleman as Deputy Delegate who is really after all doing the whole work?

Sir Aubrey Metcalfe: His Highness the Aga Khan has been the Delegate from India for a considerable period of time.

Mr. S. Satyamurti: May I know why Government did not appoint an Indian to this Co-ordinating Committee to represent India, who could be present in Europe now?

Sir Aubrey Metcalfe: Does the Honourable Member suggest that His Highness the Aga Khan is not an Indian?

Mr. S. Satyamurti: I am suggesting that His Highness the Aga Khan is absent, and thus his functions are merely of a formal nature, and that Sir Denys Bray is really running the whole show. I am asking why they could not appoint an Indian, who could be present and take part in the meetings of that Co-ordinating Committee?

Sir Aubrey Metcalfe: His Highness the Aga Khan has been present there except for a short interval during which he has visited India.

Mr. S. Satyamurti: Did this Co-ordinating Committee, on which India is represented, consider the attitude which should be adopted by the League towards Italy in respect of the sanctions, and what was the position taken up by the Government of India in respect of that matter through this representative?

Sir Aubrey Metcalfe: I did not gather exactly what information my Honourable friend requires. Would he mind repeating his question?

Mr. S. Satyamurti: I want to know what attitude India's representative took, as representing this country, in respect of the sanctions to be enforced by the League against Italy in the Italo-Abyssinian dispute.

Sir Aubrey Metcalfe: Surely, it is fairly obvious that they followed in this case the same line as His Majesty's Government

Mr. S. Satyamurti: May I know why Government refuse to place the information which they gave to their Delegates on the table of this House?

Sir Aubrey Metcalfe: Because they did not consider it would be in the public interest to place them on the table.

Mr. S. Satyamurti: And yet, you ask from us a vote for the Italian Loans and Credits Bill?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing. Next question.

ARTICLES WHOSE EXPORT TO AND IMPORT FROM ITALY ARE PROHIBITED.

748. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the number and the nature of the articles, whose export to and import from Italy are prohibited, under the Embargo Sanctions, imposed by the League of Nations;
- (b) whether they have been consulted on the proposed imposition of the embargo on oil, and
- (c) if so, what their views are on the matter?

Sir Aubrey Metcalfe: (a) Copies of Government of India notifications Nos. 59 and 62, dated the 18th November and the 23rd November, 1935, respectively, specifying the articles, whose export to and import from Italy are prohibited in pursuance of the decision of the League of Nations to impose sanctions against Italy, are placed on the table.

(b) and (c). The question of including petroleum products within the scope of the sanctions is one which is now under the consideration of the League of Nations. It is, therefore, obviously undesirable that any public announcement on this subject should be made by an individual member of the State.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

NOTIFICATION.

CUSTOMS.

New Delhi, the 18th November, 1935.

No. 59.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased—

- (a) to prohibit the taking by sea or by land out of British India of the goods specified in the Schedule to Italy or to any Italian possession: and
- (b) to restrict in the following manner the taking by sea or by land out of British India of the goods specified in the Schedule to any place other than Italy or any Italian possession, namely.

No such goods shall be taken out of British India except with the permission of the Chief Customs Officer, who shall not grant such permission unless he is satisfied that it is not intended that such goods shall be taken to Italy or to any Italian possession.

SCHEDULE.

PART I.

1. Rifles and carbines and their barrels.
2. Machine-guns, automatic rifles, and machine pistols of all calibres, and their barrels.
3. Guns, howitzers and mortars of all calibres, their mountings, barrels and recoil mechanisms
4. Ammunition for the arms specified in paragraphs 1 and 2 of this Part of this Schedule; filled and unfilled projectiles and prepared propellant charges for the arms specified in paragraph 3 of this Part of this Schedule.
5. Grenades, bombs, torpedoes and mines, filled or unfilled, and apparatus for their use or discharge.
6. Tanks, armoured vehicles and armoured trains, and armour plate of all kinds.
7. Vessels of War of all kinds, including aircraft carriers and submarines.
8. Aircraft, assembled or dismantled, both heavier and lighter than air and their propellers or air screws, fuselages, aerial gun mounts and frames, hulls, tail units and undercarriage units.
9. Aircraft engines.
10. Revolvers and automatic pistols of a weight in excess of 1 lb. 6 ozs. and ammunition therefor.
11. Flame-throwers and all other projectors and machines (including smoke producing apparatus) used for chemical or incendiary warfare.
12. Mustard gas, Lewisite, Thyl-dichlorarsine, Methyl-dichlorarsine, Ethyl-iodoacetate, Chloroacetophenone, Chlorosulphonic Acid, Diphenylamine-chloroarsine, Bromobenzylcyanide, Diphenylchloroarsine, Diphenylcyanarsine, Phosgene, Chlorpicrin and all other noxious substances whatsoever intended for offensive or defensive purposes, in warfare.
13. Explosives of every description.

PART II.

1. Iron ore and concentrates, ground, unground or briquetted.
2. Iron and steel scrap and waste.

3. Metals, unwrought, of the following descriptions, namely :

- (a) Aluminium;
- (b) Chromium;
- (c) Manganese,
- (d) Nickel;
- (e) Tin;
- (f) Titanium;
- (g) Tungsten;
- (h) Vanadium.

4 Alloys, unwrought, containing any metal specified in paragraph 3 of this Part of this Schedule, including ferro-alloys but excluding steel and alloy steel; ores, concentrates and residues, ground, unground or briquetted, and matte containing any such metal; and scrap and waste of the said metals.

5. Aluminium oxide (but not including abrasives).

6. Ferro-molybdenum.

7. Ferro-silicon.

8. Rubber (raw), including crepe; rubber latex

9. Waste, scrap and reclaimed rubber.

10. Horses, mules, donkeys, camels and all other transport animals.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT (CENTRAL REVENUES).

NOTIFICATION.

CUSTOMS

New Delhi, the 23rd November, 1935

No. 62.--In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Notification of the Government of India in the Finance Department (Central Revenues) No 61-Customs, dated the 18th November, 1935, the Governor-General in Council is pleased to prohibit the bringing by sea or by land into British India of goods (other than goods specified in the Schedule as exempted goods) from whatever place arriving consigned from, or grown, produced or manufactured in Italy or any Italian possession.

Provided that the foregoing prohibition shall not apply :

- (1) to goods which are the personal effects of passengers, or
- (2) to goods brought into British India before the 18th December 1935, or
- (3) to goods the price of which has been wholly paid on or before the 19th October 1935, and the importation of which has been specially authorised by the Governor-General in Council

Explanation.—Goods grown or produced in Italy or in any Italian possession which have been subjected to any process in another country and goods manufactured partly in Italy or in any Italian possession and partly in another country shall be deemed to fall within the scope of the foregoing prohibition unless 25 per cent. or more of the value of the goods at the time when they left the place from which they were last consigned is attributable to processes undergone since the goods left Italy or any Italian possession.

SCHEDULE.

EXEMPTED GOODS.

Gold or silver bullion and coin.

Newspapers, periodicals, printed books and printed music.

Maps and hydrographic charts.

(Sd.) W. W. NIND,

Joint Secretary to the Government of India.

Mr. S. Satyamurti: May I know whether this question regarding the oil sanctions has or has not been discussed in other countries, especially Great Britain?

Sir Aubrey Metcalfe: It may have been discussed, but there is no reason why the Government of India should make a public announcement of their views.

Mr. S. Satyamurti: Are not Government aware that His Majesty's Government have placed their proposals before Parliament, and are going to take their views on the matter, and why the Government of India refuse to do likewise?

Sir Aubrey Metcalfe: I am certainly not aware of His Majesty's Government having placed their views before anybody at present!

Mr. S. Satyamurti: What is the attitude of the Government of India towards these oil sanctions?

Sir Aubrey Metcalfe: As I have said, I am not prepared to announce it.

Mr. M. Ananthasayanam Ayyangar: Is the export of gold to Italy prohibited?

The Honourable Sir James Grigg: No, Sir.

Mr. M. Ananthasayanam Ayyangar: Why not?
(No answer.)

AGREEMENT WITH BARODA OVER CUSTOMS QUESTIONS.

749. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the nature of the agreement between the Government of India and Baroda over Customs questions;
- (b) what the financial results of the agreement are; and
- (c) whether the agreement will be placed before the Assembly for its opinion, before the agreement is finally accepted?

The Honourable Sir James Grigg: I have nothing to add to the replies which I gave in connection with Mr. Avinashilingam Chettiar's question No. 609 asked on the 23rd of September and the Honourable Member's question No. 1471 asked on the 4th of April, last.

Mr. S. Satyamurti: Has the agreement been finally accepted?

The Honourable Sir James Grigg: I think it has not been finally executed. I had hoped to be able to make a statement on this question before now, but unfortunately, owing to unforeseen delays, I have had to put it off.

Mr. S. Satyamurti: What is the nature of the lines on which negotiations are proceeding?

The Honourable Sir James Grigg: No agreement has been executed yet.

Mr. S. Satyamurti: With regard to part (b), have Government any information as to the financial results of the agreement?

The Honourable Sir James Grigg: There is no agreement in existence, and, therefore, I cannot give an answer.

Mr. S. Satyamurti: Are we losing crores over it?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already said that there is no agreement in existence.

Mr. S. Satyamurti: If it is executed, then it will be too late for us?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

PURCHASE OF CUSTOMS RIGHT OF SEVERAL STATES SURROUNDING KUTCH.

750. **Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether it is a fact that they have purchased the customs right of several states surrounding Kutch;
- (b) whether it is a fact that they have turned their preventive salt line into a customs collecting line; and
- (c) whether they have considered the question of opening negotiations with Kutch, and inducing them to adopt the British Indian code of tariffs and getting their consent and fullest co-operation against leakages?

The Honourable Sir James Grigg: (a) and (b). Yes.

(c) The Government of India are always prepared to consider alternative solutions likely to prove more satisfactory.

Mr. S. Satyamurti: Have any conclusions been arrived at in this matter?

The Honourable Sir James Grigg: I have answered (a) and (b) as "Yes".

Mr. S. Satyamurti: Before they did so, did they consider the suggestion in part (c)?

The Honourable Sir James Grigg: Yes, Sir.

Mr. S. Satyamurti: Why did they reject it then?

The Honourable Sir James Grigg: They thought the other one was better.

Mr. S. Satyamurti: Will Government consider the question and evolve one uniform customs for the whole of the geographical India, with

a view to avoiding these difficulties and thus to create a uniform customs policy, so that all concerned units might benefit by it? Have Government considered it?

The Honourable Sir James Grigg: That question is bound to arise in an active form in connection with Federation.

Mr. M. Ananthasayanam Ayyangar: What is the cost of this purchase?

The Honourable Sir James Grigg: I must have notice of that.

Mr. M. Ananthasayanam Ayyangar: What is the probable gain from such a purchase?

Mr. President (The Honourable Sir Abdur Rahím): Next question.

STOCK EXCHANGE.

751. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have considered the desirability and the necessity for reforming the Stock Exchange;
- (b) whether they propose to set up an enquiry into the working of the Stock Exchange;
- (c) whether they have started laying down rules to control the nature of business to be done on the Stock Exchange;
- (d) whether they have considered, or will consider, the suggestion to have a Board of the Stock Exchange, containing twelve Directors, four representing the Brokers, four representing jobbers, four representing the general public, two being nominated by Government, and two representing the Chambers of Commerce; and
- (e) whether they are prepared to explore these and other details suggested and found working on the various stock exchanges of the financial centres of the world, and take steps to improve the working of the Stock Exchange in India?

The Honourable Sir James Grigg: There is no single Stock Exchange for India. There are many independent Stock Exchanges. One in Bombay is governed by an Act of the Local Legislature

The control of Stock Exchanges is a matter for the Local Governments within whose jurisdiction they are situated.

Mr. S. Satyamurti: Is the Honourable the Finance Member aware that speculation on the Stock Exchanges sometimes takes a very unhealthy form, and will Government consider the desirability of having an all-India legislation on this matter?

The Honourable Sir James Grigg: As far as the first part of the remarks, undoubtedly, and I am in complete agreement with the Honourable Member. As regards the second part, I do not think it is within the power of the Government of India as it is a provincial subject.

REPRESENTATION OF SMALL TEA INTERESTS ON THE INDIAN LICENSING COMMITTEE.

752. *Mr. S. Satyamurti: Will Government be pleased to state:

(a) whether they are aware of the impression that the interests of small Indian tea concerns are not adequately protected by the Indian Licensing Committee,

(b) the reasons why the proceedings of the Committee are always private and confidential; and

(c) whether they propose to consider the necessity for giving representation to small Indian tea interests on the Committee?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) The Honourable Member's attention is invited to the answers to parts (a) and (b) of starred question No. 641 asked by Mr. S. C. Mitra in this House on the 20th August, 1934.

(c) The attention of the Honourable Member is invited to the answer given to part (g) of unstarred question No. 42 asked by Mr. N. C. Bardaloi in this House on the 22nd February, 1935.

Mr. S. Satyamurti: Have Government made any enquiries since the receipt of this question, and have they satisfied themselves that the interests of the small Indian tea concerns are adequately protected by the Indian Tea Licensing Committee?

The Honourable Sir Muhammad Zafrullah Khan: A suggestion has already been made to the Local Government that the representations of any Indian organisation must be given a fair hearing when Local Governments are making nominations.

Mr. S. Satyamurti: With reference to part (a), have Government satisfied themselves that the operations of the Indian Licensing Committee take adequate note of the interests of the smaller Indian tea concerns?

The Honourable Sir Muhammad Zafrullah Khan: Government have no reason to think that the interests of the smaller Indian concerns are not adequately considered?

Mr. S. Satyamurti: What is the representation of these Indian interests on the Committee?

The Honourable Sir Muhammad Zafrullah Khan: Of that I would require notice.

GRANT FOR RURAL DEVELOPMENT IN THE PROVINCES.

753. ***Mr. S. Satyamurti:** I am asking only parts (a) and (b), of this question and not part (c).

(a) the purposes for which their grant for rural development 1935-36 has so far been spent in the provinces; and

(b) whether any results have been reported so far, and if so, the nature of the results?

The Honourable Sir James Grigg: I was going to reply to parts (a) and (b) by referring the Honourable Member to my reply to Professor Ranga's question No. 719. I will read out that answer:

"Provincial Governments have been requested to send a report by the beginning of March showing the progress of schemes financed from the Crore grant. The expenditure to be incurred from provincial revenues to supplement the work is a matter within the discretion of Local Governments, and the Government of India do not consider it necessary to call for any information on this point."

I may add that when we get these reports, I have every intention of placing at any rate a full summary before the House.

SAFEGUARDING OF THE INDIAN COASTAL SHIPPING.

754. ***Mr. S. Satyamurti:** Will Government be pleased to state:

(a) whether they have taken, or propose to take, any fresh steps for safeguarding Indian shipping, and promoting Indian Coastal Shipping especially;

(b) whether they are aware that the Indian Coastal Shipping is under serious handicaps; and

(c) whether they have perused the speeches on the resolution relating to Indian Coastal trade at the eighth annual session of the Indian Chambers of Commerce and Industry on the 31st of March, 1935, and what action, if any, they propose to take thereon?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have no reason to think that the policy hitherto pursued by them has failed to provide adequately for the development of an Indian Mercantile Marine. The Honourable Member's attention is in this connection invited to the reply given by me to the supplementary question asked by him on the 5th February, 1936, with reference to his starred question No. 75.

(b) Government are aware that Indian shipping companies have had to meet severe competition from companies already established in the coastal trade of India.

(c) Yes. For the reason stated in the reply to part (a) Government do not propose to take any action in the matter.

Mr. S. Satyamurti: What is the extent of the share of Indian coastal shipping in the coastal shipping of the country as a whole today?

The Honourable Sir Muhammad Zafrullah Khan: I have not worked out the percentages. I am afraid it would be difficult to work out the percentages as, from some conversations that I have had with people who are interested in this matter, I understand that there are great differences of opinion on this matter.

Mr. S. Satyamurti: Will Government consider the question of giving a subsidy to Indian coastal shipping?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. M. Ananthasayanam Ayyangar: Will the Government in England allow the Indian ships to ply in the coast of England?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not answer a question like that. Next question.

PREMIUM MONEY FOR POSTAL INSURANCE IN THE HANDS OF THE GOVERNMENT.

755. *Mr. Sham Lal: (a) Will Government be pleased to state the amount of premium money for postal insurance in the hands of Government?

(b) Is it a fact that the money thus realized has been and is being advanced as a loan to foreign firms on nominal interest?

(c) If so, to what firms is the money being advanced, and at what interest?

(d) Will Government be pleased to state whether such a system of insurance with Government existed in Great Britain and has been stopped on account of undue competition with insurance companies?

(e) If so, are Government prepared to follow that example here? If not, why not?

The Honourable Sir Frank Noyce: (a) The balance in the Postal Insurance and Life Annuity Fund on the 31st March, 1935, was about Rs. 6,41 lakhs.

(b) No: the amount is merged in Government balances and is utilised for their ways and means purposes.

(c) Does not arise.

(d) Government have no information.

(e) The Honourable Member is referred to my reply given in this House on the 12th September, 1933, to part (c) of starred question No. 837 put by Mr. E. Studd.

COVERING OF PLATFORMS AND PROVISION OF BENCHES IN THE INTERMEDIATE CLASS WAITING ROOM AT THE ROHTAK RAILWAY STATION.

756. *Mr. Sham Lal: (a) Are Government aware:

(i) that Rohtak is a fairly big railway junction, and there is a great deal of passenger traffic there;

(ii) that both the platforms of Rohtak Railway station are uncovered, and there is no protection for the passengers against heat and rain and that the passengers are not allowed to wait in the verandah, which is also too small; and

(iii) that there are no benches in the intermediate class waiting room?

(b) Are Government prepared to consider the necessity of covering both the platforms of the Rohtak Railway station and providing benches in the intermediate class waiting room?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i) No.

(ii) and (iii). Government have no information.

(b) Government consider that such matters are best left to the decision of the Agent with the advice of the Local Advisory Committee. I am, however, forwarding a copy of the question to the Agent, North Western Railway.

SURVIVORS OF THE VICTIMS OF BIHAR AND BALUCHISTAN EARTHQUAKES HOLDING UNMATURED POSTAL CASH CERTIFICATES.

757. *Mr. Sham Lal: (a) Will Government be pleased to state whether efforts are being made by Postal authorities to trace the survivors of the victims of Bihar and Baluchistan earthquakes, holding unmatured postal cash certificates at the time of their sudden death?

(b) If so, what is the approximate amount of these cash certificates, both in the case of Bihar and Baluchistan?

The Honourable Sir Frank Noyce: (a) and (b). It is impossible for the Post Office to undertake the task suggested by the Honourable Member in the absence of information regarding the serial number of the cash certificates, the date and office of issue and the name of the deceased holder.

CONSUMPTION OF INTOXICANTS AMONGST SOLDIERS.

758. *Mr. Sham Lal: (a) Will Government be pleased to state the amount of consumption of intoxicants amongst Indian and British soldiers, separately, during the years ending on the 31st March. of 1935, 1930, 1925, 1920?

(b) If the resort of Indian and British soldiers to Brewery products has not shown any appreciable diminution during this period, what steps are being taken at present to promote the cause of temperance amongst Indian and British soldiers, respectively?

Mr. G. R. F. Tottenham: (a) The statistics asked for are not available.

(b) No steps are necessary, since the consumption of intoxicants is moderate among both British and Indian troops. In the case of the former particularly there has been a very marked diminution in the last 15 years.

UTILISATION OF BONES AS FERTILISERS.

759. *Mr. Sham Lal: (a) Will Government be pleased to state the respective exports of bones from India during the last three years, in maunds or tons?

(b) Has any cheap method been discovered by the Imperial Council of Agricultural Research for the utilisation of Indian bones as fertilisers on an economic basis?

Sir Girja Shankar Bajpai: (a) A statement is laid on the table.

(b) Yes. Experiments were carried out at the suggestion of the Fertilizers Committee of the Imperial Council of Agricultural Research and the results have been published in the publication "Agriculture and

Livestock in India'', copies of which are available in the Library of the House. The volumes for March, 1931, November, 1932 and March and May, 1933, contain the relevant articles.

Statement.

| Year. | Bonemeal. | Bones for manurial purposes. | Bones for manufacturing purposes. | Total. |
|-------------------|-----------|------------------------------|-----------------------------------|--------|
| | Tons. | Tons. | Tons. | Tons. |
| 1932-33 | 18,446 | 3,117 | 38,565 | 60,128 |
| 1933-34 | 20,556 | 4,263 | 39,191 | 64,010 |
| 1934-35 | 28,106 | 8,368 | 52,378 | 88,852 |

NON-APPLICABILITY OF INCOME-TAX TO PENSIONS DERIVED FROM INDIAN EXCHEQUER OUTSIDE INDIA.

760. ***Mr. Sham Lal:** (a) Will Government be pleased to state whether it is a fact that pensions derived from Indian exchequer are free from Indian Income-tax when drawn outside India?

(b) If the reply to part (a) be in the affirmative, what has been the loss to the Indian exchequer during the last financial year on account of this concession?

(c) What are the names of the other countries in the British Empire where this practice prevails?

The Honourable Sir James Grigg: (a) Pensions of officers of Government residing out of India and which are paid in the United Kingdom or are drawn from a Colonial treasury are exempt from income-tax.

(b) It is not possible to calculate the amount involved.

(c) The information is not available.

PAYMENT OF LICENCE FEES BY RAILWAY VENDORS.

761. ***Mr. Sham Lal:** Will Government be pleased to state:

(a) whether it is a fact that Railway vendors have not to pay any licence fees to the Railway administration;

(b) whether they are aware that in order to retain the privilege of using railway premises, several Railway vendors have to keep some railway officers in humour and thus lead them to corruption; and

- (c) if so, whether Railway authorities propose to overhaul this system in such a way as to add something to their Railway revenues in these days of financial depression, and free railway administration from all taints of corruption?

The Honourable Sir Muhammad Zafrullah Khan: (a) The practice varies on the different railways; on one, the contracts are sold by public auction, on some, a license fee is paid and on others no charge is recovered.

(b) Allegations to this effect have been made, but no evidence to support them has been produced.

(c) Does not arise, but the question of railway contracts generally will be discussed with the Central Advisory Council for Railways.

Mr. Lalchand Navalrai: Why do not Government have one system for all railways?

The Honourable Sir Muhammad Zafrullah Khan: Government do not prescribe the conditions. The different administrations lay down the conditions for themselves; that is why there is no uniform rule.

REFUSAL BY GOVERNMENT TREASURIES TO ACCEPT OILED AND SPOILED CURRENCY NOTES AND DEFACED RUPEE COINS.

762. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether they are aware that oiled and spoiled currency notes, though genuine and their numbers and other things clearly visible, and defaced rupee coins, though genuine and of requisite weight, are refused acceptance sometimes at several Government sub-treasuries by cashiers of Government treasuries to the great inconvenience of the public; and
- (b) if the reply to part (a) be in the affirmative, whether they intend to make the rules uniform at all treasuries and paste them on the walls of Government treasury houses in order to improve the administration of Government treasuries?

The Honourable Sir James Grigg: I would invite the attention of the Honourable Member to the reply given on the 18th February, 1934, in the Legislative Assembly to Bhai Parma Nand's question No. 111.

COMMUNICATION OF THE COMPLAINTS OF THE TRAVELLING PUBLIC TO TRAIN EXAMINERS.

763. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether it is a fact that Railway guards and Railway policemen are accessible to the travelling public more easily than Train Examiners; and
- (b) if so, whether Railway authorities are prepared to secure the co-operation of Railway guards and Railway policemen for the immediate communication of the complaints of the travelling public to Train Examiners?

The Honourable Sir Muhammad Zafrullah Khan: (a) The degree of accessibility of railway servants varies according to circumstances.

(b) The responsibility of requisitioning the services of a Train Examiner, should these be necessary, rests with the Guard and the Station Master on duty. The railway police have other duties to attend to, the efficient discharge of which might be affected if the Honourable Member's suggestion were accepted.

IMPORTATION OF FOREIGN FILMS INTO INDIA.

764. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) the number of countries which exported cinematograph films and other accessories to India during the last financial year;
- (b) whether it is a fact, according to the sources of information open to Government, that this importation of foreign films has been having a prejudicial effect on the cultural development of India, besides injuring the growth of indigenous cinema industry of India; and
- (c) if so, whether Government propose to take any steps in the matter?

The Honourable Sir Frank Noyce: (a) The Honourable Member is referred to pages 174-175 of the Annual Statement of the Sea-borne Trade of British India for the year 1933-34, which gives the required information as far as it is available. A copy of the Statement is in the Library of the Legislature.

(b) No

(c) Does not arise.

Prof. N. G. Ranga: Have any representations been received from the Indian cinematograph industry for any protection from the State?

The Honourable Sir Frank Noyce: Certainly not recently.

Mr. Lalchand Navalrai: Has the Honourable Member considered the question of reducing the customs duty on raw films?

The Honourable Sir Frank Noyce: That is a question which might be addressed to my Honourable colleague, the Commerce Member.

Mr. Lalchand Navalrai: Will the Honourable the Commerce Member tell me whether there is any idea of reducing the customs duty on raw films?

The Honourable Sir Muhammad Zafrullah Khan: Government cannot answer questions with regard to ideas.

LIBRARIES ATTACHED TO HOSPITALS IN THE CENTRALLY ADMINISTERED AREAS.

765. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) the number of Government-run, Government-aided and Government-recognised hospitals of the centrally administered areas,

possessing small libraries of easy literature in English and vernacular for the diversion of indoor patients by their relatives or attendants; and

- (b) if the number of such hospitals is small, whether Government propose to take any action in the matter?

Sir Girja Shankar Bajpai: (a) Small libraries exist in three Government hospitals and in three Government aided hospitals in centrally administered areas.

(b) The question of providing libraries in hospitals is one for the local authorities in charge of the hospitals. Their attention will be invited to the matter.

REDUCTION IN THE STANDING ARMY AND MILITARY EXPENDITURE ON SEPARATION OF BURMA.

766. ***Mr. Sham Lal:** Will Government be pleased to state—

- (a) whether there is to be a reduction both in the standing army of India (for internal and external purposes) and the annual military expenditure as a result of the separation of Burma; and
(b) if so, to what proportion?

Mr. G. R. F. Tottenham: I refer the Honourable Member to the answer which I gave to unstarred questions Nos. 2 and 3 on the 4th February, 1936, regarding the defence of Burma. I can only say that there will be some reduction in the number of troops under the command of His Excellency the Commander-in-Chief and some reduction in the Indian Defence Services estimates as a result of the separation of Burma.

INTERMEDIATE COLLEGE FOR BOYS IN NEW DELHI.

767. ***Mr. Sham Lal:** (a) With reference to the reply to my question in this House during the last winter Session regarding an Intermediate College for boys in New Delhi, will Government please state how the question stands at present?

(b) Is it a fact that there are more than sufficient number of boys in New Delhi (who at present attend the College in Delhi City) to justify the existence of a College in New Delhi?

(c) Is it a fact that, while in other places Colleges are usually located in open localities, the boys of New Delhi have to go from an open locality to the over-crowded city to attend the College?

Sir Girja Shankar Bajpai: (a) The matter is under consideration in connection with the wider question of school reconstruction as proposed by the Universities Conference and the Central Advisory Board of Education.

(b) Government have no definite information.

(c) To some extent this may be true in present conditions; Government will bear this point in mind in considering the scheme of school reconstruction as soon as the main principles have been decided.

CONSTRUCTION OF AN EXHIBITION BUILDING IN NEW DELHI.

768. *Mr. Sham Lal: (a) Is it a fact that the New Delhi Municipal Committee made a provision of Rs. 50,000 in its budget for 1935-36 for the construction of an 'Exhibition' Building?

(b) What are the details and object of the proposal, and how does it stand now?

Sir Girja Shankar Bajpai: (a) Yes.

(b) The object is to provide facilities for exhibitions and other shows with a view to promoting industrial enterprise and indigenous manufacturing activities. The question of a site for the exhibition building has presented some difficulty and is still under consideration.

Mr. T. S. Avinashilingam Chettiar: May I take it that the exhibition will consist only of Indian made articles?

Sir Girja Shankar Bajpai: That will be for the exhibition authorities to consider.

GOVERNMENT AND MUNICIPAL QUARTERS ON MINTO ROAD, NEW DELHI.

769. *Mr. Sham Lal: (a) Will Government please state the total number of the Government and Municipal quarters in the Minto Road Extension Area?

(b) Are Government aware that the quarters were occupied last year for the first time and the tenants were put to considerable inconvenience for want of post office, hospital and primary school in the locality and that those tenants who had school-going children had to incur heavy expenses and risks in sending their boys to distant schools?

(c) When are the buildings for these purposes likely to be constructed, and do Government propose to allot some quarters for them as a temporary measure for the next winter?

Sir Girja Shankar Bajpai: (a) A statement is laid on the table.

(b) and (c). The quarters were first occupied in 1934. The New Delhi Municipal Committee has sanctioned a scheme for the construction of primary schools and the buildings are likely to be ready early next summer. A dispensary already exists in the locality and the Irwin Hospital is nearing completion. It has also been decided to open a Post Office in the Minto Road Extension area and the question of providing suitable accommodation for it is being considered.

Statement.

The total number of ~~elrks~~ quarters in the Minto Road Extension Area is as follows :

| | | | | | | | |
|--|---|---|---|---|---|---|-----|
| Government of India quarters | . | . | . | . | . | . | 624 |
| Post and Telegraph quarters | . | . | . | . | . | . | 37 |
| New Delhi Municipal Committee quarters | . | . | . | . | . | . | 40 |
| Total | . | . | . | . | . | . | 701 |

"In addition to above 106 more quarters are nearing completion in this area.

TYPE OF ELECTRIC CURRENT IN THE MINTO ROAD QUARTERS, NEW DELHI.

770. ***Mr. Sham Lal:** (a) Is it a fact that the electric current in the quarters of the Minto Road Extension Area is not of the same type as in the rest of New Delhi? If so, what is the difference?

(b) Is it a fact that the electric current in the Area is of such a dangerous type that Government had to issue special instructions and warning about it to the tenants last year?

(c) Is it a fact that in spite of all possible care and precautions, there were some accidents due to the current, resulting in death in one case?

(c) When do Government propose to replace the current by the other type? If not, why not?

Sir Girja Shankar Bajpai: (a) Yes. The supply in the Minto Road Extension Area and the Princes Area is "A.C." system, 230 volts, while in other parts of New Delhi it is what is called "D.C." system, 220 volts.

(b) The system of supply is not in itself of a dangerous type. All that is necessary is that the simple instructions regarding its use, which are in the possession of householders, be observed.

(c) Government are not aware of any death or accident having occurred in the Minto Road Extension Area.

(d) The Honourable Member is referred to the reply given to Mr. Ahmed Ebrshim Haroon Jaffer's unstarred question No. 259 on the 25th March, 1935.

ALLEGATIONS AGAINST THE DEPUTY SECRETARY OF THE FINANCE DEPARTMENT.

771. ***Mr. Sham Lal:** (a) Will Government please state if there is any rule in the "Secretariat Instructions" under which officers of the Government are directed not to indulge in personal attacks or to use violent and indecent language in expressing their views on official matters? If there is any rule on this point, will Government please quote it?

(b) Is it a fact that a European Deputy Secretary of the Finance Department has in several cases in the past been found guilty of using objectionable language in official files and has so far been doing so with impunity?

(c) Is it a fact that recently a high officer of the Home Department strongly objected to the indecent allegations and insulting observations made by the Deputy Secretary referred to in part (b) against the office note of the former's Department?

(d) Are Government aware that the Deputy Secretary is also notorious for his hatred towards his subordinate Indian officers?

(e) Is it a fact that a few days ago, the Deputy Secretary wrote the word "Stupid" against the note of a gazetted officer (Indian Assistant Secretary) of his Department?

(f) Is it a fact that the Assistant Secretary immediately brought the matter to the notice of the Secretary of the Department and that the latter, although sympathising with the Assistant Secretary and deploring the action of the Deputy Secretary, did not take any adequate action in the matter to obtain apology from the Deputy Secretary?

(g) Is it a fact that the Deputy Secretary referred to in part (b) recently managed to get the most capable and senior Indian Assistant of his Department declared unfit for promotion to the grade of Superintendent? If so, why?

(h) Have Government so far taken any action against the Deputy Secretary in respect of any of the three allegations made above?

(i) What further action do Government propose to take against the Deputy Secretary?

(j) Do Government propose to suspend the Deputy Secretary and to hold an inquiry into the general complaints against him? If not, what other steps do Government propose to take to find out the truth of the allegations made against him?

The Honourable Sir James Grigg: (a) There is a Secretariat Instruction to the effect that all notes should be temperately written and free from personal remarks.

(b) and (c). No cases have been brought to my notice except those mentioned in this question, and, in my view, the Deputy Secretary in those cases did not use language of the nature suggested. In fact, the suggestion contained in part (c) of the question is a misrepresentation of what occurred.

(d) No.

(e) and (f). The suggestion made in these two parts is a most gross misrepresentation of what actually occurred. But, in any case, I may point out that the disclosure to outsiders of the contents of official files is a gross breach of the Conduct Rules. In the English Civil Service, I may say that, it would be punished by immediate dismissal without appeal.

(g) The Assistant concerned was superseded for inefficiency—in my opinion rightly—after a prolonged period of trial in an officiating capacity.

(h) (i) and (j). Certainly not. I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants. In so far as I personally am concerned, I propose to record a censure on the documents of all officers serving in my Department who ventilate their grievances in this way. In suitable cases I shall take even stronger action. In my view, one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants.

Mr. Sham Lal: What was it that actually happened and what is the misrepresentation?

The Honourable Sir James Grigg: The Honourable Member had better go and find that out from where he got his last information.

Mr. Sham Lal: But what is the misrepresentation?

The Honourable Sir James Grigg: I do say, it is untrue.

Mr. Sham Lal: How is the Honourable Member entitled to say that unless he discloses what actually happened?

The Honourable Sir James Grigg: Why?

Mr. M. Ananthasayanam Ayyangar: If a Government servant is improperly dealt with, have Honourable Members no right to put interpellations on that subject?

Mr. President (The Honourable Sir Abdur Rahim): The Chair must inform Honourable Members that it has found that there are too many questions which really deal with individual cases. There are some rules, so far as the Chair is aware, according to which any Government officer, who thinks that justice has not been done to him or injustice has been done to his case, has got a right of appeal. And that is the ordinary method; and surely these questions cannot be discussed on the floor of this House.

Mr. Lalchand Navalrai: If his grievance is not redressed in appeal or his appeal is withheld and nothing is done for him, is he not entitled to come to this House and ask for redress?

Mr. President (The Honourable Sir Abdur Rahim): This House is not an administrative tribunal or a Court and it cannot deal with such cases.

INCOME-TAX ASSESSMENT IN THE HISSAR DISTRICT.

772. ***Mr. Sham Lal:** (a) Will Government be pleased to state the amount of Income-tax assessment for the years 1931-32, 1932-33, 1933-34, 1934-35 and for April, May, June, July and August 1935, in the Hissar District for each year separately?

(b) With regard to what amount for each year were objections filed and with what result?

Mr. A. H. Lloyd: (a) A statement is laid on the table.

(b) The information is not readily available.

Statement showing the amount of income-tax (including surcharge) assessed in the Hissar District.

| Period. | Amount. Rs. |
|-------------------------|----------------|
| 1931-32 | 1,44,544 |
| 1932-33 | 1,49,537 |
| 1933-34 | 1,24,113 |
| 1934-35 | 1,34,517 |
| { April 1935 | .. |
| { May 1935 | 17,499 |
| † { June 1935 | 12,962 |
| { July 1935 | 18,910 |
| { August 1935 | 13,555 |

† Exclusive of surcharge.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE VICEREGAL ESTATE.

773. ***Mr. Sham Lal:** (a) Is it not a fact that in March 1935, an embezzlement of Rs. 30,000 was committed in the P. W. D. office of the Viceregal Estate?

(b) Is it a fact that there were no signatures of either the Accountant or the Head Clerk on the original agreement?

(c) Who was responsible for this embezzlement and what steps have Government taken against the officer concerned?

The Honourable Sir Frank Noyce: (a) Government have no knowledge of any such embezzlement.

(b) and (c). Do not arise.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE VICEREGAL ESTATE.

774. ***Mr. Sham Lal:** (a) Is it not a fact that the fraud committed in March 1935, embezzling Rs. 30,000, is the second of the series of the big fraud unearthed in the P. W. D. office of the Viceregal Estate, the first one committed in 1933 and the second in 1935?

(b) Will Government state their attitude towards these frauds?

(c) Why do Government not appoint an enquiry committee in the interests of the public?

(d) Is it not a fact that out of the whole lot of charges brought against the P. W. D. staff of New Delhi by Mr. Gulzara Singh, only one was proved and only one officer was dismissed on this score?

(e) Why did not Government pursue other charges?

(f) Are they going to do so now?

(g) Was the head of the department involved in the frauds to any extent?

(h) Has any action been taken against him?

(i) Is it not a fact that the time-keeper, New Delhi, was asked to resign?

(j) What were the reasons for asking him to resign?

(k) Was he also involved in the fraud of 1933?

(l) If so, why was only one person singled out?

The Honourable Sir Frank Noyce: (a) The reply to the first part is in the negative. As regards the second part, the fraud which the Honourable Member presumably has in mind was a small fraud which actually occurred in 1932.

(b) and (c). I am not sure what my Honourable friend means. Government do not consider it necessary to appoint an enquiry committee.

(d)–(h). So far as I am aware no “charges” were brought by Mr. Gulzara Singh against the Public Works Department staff. I have seen a petition submitted by him to the Chief Engineer last November in which certain vague general allegations are made. Obviously no action can be taken on petitions of this kind.

(i) No.

(j) Does not arise.

(k) and (l). I would refer the Honourable Member to the answer given to parts (f), (g) and (h) of starred question No. 1251 asked by Mr. Fuzul Huq in the Legislative Assembly on the 30th March, 1935.

STATEMENTS LAID ON THE TABLE.

Information promised in reply unstarred questions Nos. 45, 58, 63 and 75 asked by Dr. N. B. Khare on the 4th February, 1936.

POWERS OF THE AGENT OF THE EAST INDIAN RAILWAY EXERCISED BY HIS PRINCIPAL OFFICERS.

45. (a) Government have seen the circular referred to. The powers delegated to the Agent can also be exercised by other officers of the railway on his behalf should he so authorise them.

(b) No. The Agent exercises the powers vested in him in cases which are not dealt with by principal officers or officers below them.

(c) The Agent has authorised the officers mentioned to exercise certain of the powers delegated to him

(d) The question is unintelligible as principal officers do not vest the Agent with any powers.

(e) A controlling officer must have establishment under him to deal with matters for which he is responsible.

(f) Government do not consider any enquiry is necessary.

SAFETY OF THE TRAVELLING PUBLIC ON THE EASTERN BENGAL RAILWAY AGAINST DEFECTIVE DIAGRAMS.

58. (a) (i) Yes, but only for a few trains in a link.

(ii) There is no hard and fast rule laying down the period of rest as eight hours

(iii) No.

(iv) Yes.

(v) Yes.

(vi) No. Crew diagrams are separate from Engine diagrams—it is due rather to train timings.

(vii) and (viii). No. Although the trips referred to are night trips, they are not worked daily by the same men. It is only once in ten days and sixteen days, respectively, that the same Crews are required to work the trains referred to.

(ix) The Locomotive Inspector has been promoted, but not because he drew up the diagram referred to. He had nothing to do with its preparation.

(b) Yes.

(c) No. The driver stated in his evidence at the enquiry that was held in this case that he went off duty at six o'clock on the morning of the 14th and reported for duty again at eight o'clock the same evening, leaving with 38 Down two hours later.

(d) Government do not propose to take any action as the diagram is not irregular or contrary to the rules.

(e) No.

(f) Government do not propose to take any action as they are satisfied that the present measures are adequate.

ALLEGATIONS AGAINST THE DEPUTY AGENT, PERSONNEL, AND THE TRAFFIC MANAGER, EASTERN BENGAL RAILWAY.

63. (a) The reply to the first part is in the negative. The latter part does not arise.

(b) Yes.

(c) At the time when the advertisement was issued, the idea was that there should be a check by the Head Office on the work of the crews only, but about the time the men were appointed, some months later, when their duties were being mapped out in detail, it was considered desirable that they should have a wider field of work. The designation of the men was not, however, altered to Special Inspectors till 1st May, 1935. After the change in designation the pay of the men continued unaltered.

(d) At one period before the final change of designation to Special Inspectors, the men were called Commercial Inspectors temporarily, but their salary was never disallowed by the Accounts Department.

(e) Yes.

(f) The original intention was to appoint 'outsiders' but it was eventually decided not to do so, but to appoint staff already in Railway employ. The 'outsiders' selected were, however, offered other posts, which were accepted by some of them, who were appointed accordingly.

The pay and designations of the staff promoted were as follows :

| | Rs. |
|-----------------------------------|-------------------|
| 1 Head Ticket Collector | 160 |
| 1 Clerk | 150 |
| 2 Guards | 100 plus mileage. |

(g) Yes.

(h) As the original intention was to appoint 'Crew Inspectors' and this new category is not included in those covered by the 'Rules for recruitment and training of subordinate staff on State-managed Railways', the question of relaxation of those rules did not arise.

(i) When the pay was fixed, there was no definite attempt made to disintegrate its component parts.

(j) Yes.

PRIVILEGES IN THE MATTER OF PAY, ALLOWANCES, ETC., TO TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

75. (a) I would refer the Honourable Member to the information laid on the table of the House on the 2nd September, 1935, in reply to parts (d), (e), (f) and (g) of question No. 866 asked by Mr. Muhammad Azhar Ali on the 12th March, 1935.

(b) Does not arise.

(c) and (d). On the North Western Railway the old Travelling Ticket Examiner on their transfer from the Audit to the Operating Department in 1928 were allowed to retain their old scales of pay.

Information promised in reply to unstarred questions Nos. 84 and 90 asked by Mr Muhammad Azhar Ali on the 4th February, 1936.

LAW SECTIONS ATTACHED TO THE OFFICES OF THE AGENT AND THE CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY

84. (a) There is a Vakil attached to the Office of the Agent, East Indian Railway. The only staff under him is a stenographer and a peon.

(b) There is only one Law Section on the East Indian Railway and it is under the Chief Commercial Manager.

(c) No. Since August, 1934, Law Section works under the direct control of Superintendent, Claims, who is a senior scale officer. Prior to that date an Assistant Commercial Manager was in charge of this section. As regards the latter part of the question the Court section consists of Court clerks, dealers and routine clerks. The Court Inspectors do not form part of the strength of the section and work directly under the Superintendent, Claims.

(d) (i) No.

(ii) There are only three Court clerks attached to the section. The Court Inspectors who are four in number do not form part of the section.

(iii) and (v). The increased scales of pay of Court Inspectors were fixed in February, 1934, in order to remunerate the Court Inspectors commensurately with their duties.

(iv) Yes, but this revised scale, as in the case of revised scales for other classes of staff applies to new entrants who were not in service on the 16th July, 1931, and not to the older employees.

(vi) Yes.

(vii) No

(viii) The Chief Accounts Officer agreed to the scale of pay of the Court Inspectors being fixed the same as for Claims Inspectors.

(e) Government are informed that the advisability of placing the Law Section of the Chief Commercial Manager's Office under the control of the Vakil was fully examined in 1933 and it was decided that the proposed change would not be conducive to any improvement in the existing system. Government do not consider any further action is called for.

PROMOTION TO THE POSTS OF ASSISTANT AND HEAD GOODS CLERKS ON THE EAST INDIAN RAILWAY.

90. (a) Yes.

(b) Head goods clerks at Howrah Goods are treated as selection posts, but selections are also now held for promotion to the posts of goods clerks and assistant goods clerks at Howrah Goods.

(c) No.

(d) Does not arise.

Information promised in reply to unstarred question No. 98, asked by Pandit Sri Krishna Dutta Paliwal on the 4th February, 1936.

TICKET COLLECTORS AND CREW STAFF REQUIRED TO WORK AS GUARDS ON THE EASTERN BENGAL RAILWAY

(a) Yes, if passed in guard's duties and the exigencies of service demand it.

(b) In emergencies staff have to be taken off their ordinary duties and hooked off at short notice.

(c) (i) Yes.

(ii) It is possible that an individual may have acted as a guard on a number of occasions over a period of five or six years without being appointed substantively as a guard.

(c) (iii) and (d). No.

Information promised in reply to starred question No. 308 asked by Dr. Bhagavan Das, on the 10th February, 1936.

CONDITION OF INDIANS IN KENYA DUE TO THE SUBSTITUTION OF CASH-RENT FOR KIND-RENT

Payment of rent or taxes in kind has never been permitted in the case of the native or any non-native in Kenya nor is any land rent charged from the indigenous African population which is for the most part accommodated in native reserves

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Abdur Rahim): Before the House proceeds to deal with the railway demands for grants, I have
12 Noon. to inform Honourable Members that, in accordance with the usual practice, I met the Leaders of Parties, and I am glad to say that an arrangement has been arrived at as to how the motions, of which notice has been given, should be dealt with. What has been agreed upon

[Mr. President.]

is in accordance with the practice that has been observed hitherto. It has been agreed that the time limit for speeches will be 15 minutes, the Mover being given 20 minutes; and the Government Member, if he finds it necessary, will be allowed 30 minutes.

As regards the motions of which notice has been given, the Congress Party will move the cut or cuts which they want to move today and also they will be allowed to discuss their cuts till 12-30 on Tuesday, the 25th. The Congress Nationalists will begin their motions at 12-30 on Tuesday, and go on till 4-15 that day. The Independent Party will move their motions between 12-45 and 5 p.m. on the 26th. The Congress and the Independent Parties have agreed to give a portion of their time for motions regarding labour grievances. The European Group will move their motions on the 27th at 12 Noon and the time allowed to them will be till 1-30 p.m. that day. The Members who do not belong to any group will begin at 2-30 p.m. on the 27th and go on till 5 p.m. when all the demands that have not been discussed will be put to vote. This is the arrangement that has been arrived at, and I take it that it will meet the approval of the House generally.

Mr. S. Satyamurti (Madras City. Non-Muhammadan Urban): Sir, before we begin the further proceedings of today, may I have your leave to draw your attention to the serious breach of privilege by the Honourable the Finance Member using question time to pass comments upon "the habit of some Honourable Members"? You have the right, if I may say respectfully, when we use a word, or phrase wrongly, to pull us up. But I do suggest that the Honourable the Finance Member was less than fair to this Honourable House, when he took advantage of a question to deliver to us a homily on how we should use the right of questions. I want this House to discuss this matter: I do not take it up now, I shall write out my objections and submit them to you. You can consider them and appoint a time, when this matter may be fully discussed. I think it is a serious breach of the privilege of the House, and I should like you to give us an opportunity of discussing the matter on the floor of the House. (Applause.)

Mr. President (The Honourable Sir Abdur Rahim): As regards the question raised by Mr. Satyamurti, it does happen at times during the question hour that remarks are made which, on further consideration, the Honourable Member who made the remark may think was not called for. The Chair does not know if really the matter that has been brought forward is one which it will be necessary to consider in the way suggested by the Honourable Member (Mr. Satyamurti).

Mr. S. Satyamurti: May I make one submission? I am quite willing to admit I might have been guilty occasionally of a remark—a man may have a lapse—but this was a cold, calculated, deliberate statement, written out and read in the House. I suggest that you should either ask the Honourable Member to withdraw that statement, in which case there will be no more to be said on it, or you must give us time and give yourself time to consider the matter carefully. I am not anxious to have a decision at this particular moment—I quite recognise everybody requires time. You will let us read the answer and you may also consider

the answer. If the Honourable Member makes amends, there will be an end of the matter; if not, I will ask of you respectfully, in the interests of the dignity and prestige of the House, that this answer ought not to go on record, without a protest from this House.

Mr. President (The Honourable Sir Abdur Rahim): The Chair will see any representation that the Honourable Member makes and consider the matter.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): There is another point. We are unfortunately at times put to inconvenience. When the Honourable Member (Mr. Shan Lal) wanted information, is it right for the Honourable the Finance Member to refer him to the person who gave him the original information on which the question was put?

Mr. President (The Honourable Sir Abdur Rahim): That is the very question which has been raised.

DEMAND NO 1—RAILWAY BOARD.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Sir, I move:

"That a sum not exceeding Rs. 8,80,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of the 'Railway Board'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 8,80,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of the 'Railway Board'."

General Policy of Railway Administration.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I listened to the speeches of the Honourable the Commerce Member last week with close attention. I was impressed with their lucidity and candour. I must express my appreciation of the manner and tone of his address. He struck an agreeable note in that respect as the usual characteristic of the Treasury Benches opposite, to which we have been used for some time, is one of bluster, blatancy and bluff, of which we had an illustration even this morning when questions were being answered. This is not, however, an occasion when I would encourage any diversion of the debate into channels which are not strictly economical and financial. The issues are very important, and I wish that the House may concentrate on them free from all passion and prejudice.

[Pandit Govind Ballabh Pant.]

I had the pleasure of expressing my appreciation of the tone and manner, as I said, of the Honourable the Commerce Member's speech. I wish it were possible to make a similar observation about the merits, the matter and the contents of his speech. There I was sorely disappointed. It was not quite a surprise, but disappointment there really was. Surprise there is no room for. I had been disillusioned long ago, and one year's experience has borne in upon me—and I think it has been burnt deeply into every one of us—that we cannot look forward for anything good, useful or pleasant from the Benches opposite; but so far as the Honourable the Commerce Member is concerned, we were under the impression that he did not belong to the blatant school of bureaucrats, that he may introduce fresh blood and that he may be able to ply his oars in that stagnant, if not putrid, backwater which surrounds him. But we find that the Honourable the Commerce Member too has been engulfed in the slough of red tape and has not been able to hold his own against vested interests, with the result that his constructive suggestions pale into insignificance as compared with the magnitude of the problem which had to be tackled. The Commerce Member was manifestly unfair with regard to one or two points. He laid great stress on the expenditure that labour legislation has entailed: he devoted about two paragraphs of his speech to the additional expenditure of, as he said, about half a crore of rupees that the alleviation of abject misery, and the introduction of civilised methods in the hard-worked class of labourers has in all cost so far. It was hardly fair on his part to have laid so much of emphasis on this aspect of the question. But what struck me most was the other part of it: that while he laid so much stress on this part, he had not a word to say about the additional expenditure that the Lee loot has entailed. The little relief that has been given to the under-dog in dribblets he has cavilled at: he seems to grudge it; but so far as thousands and thousands wasted in pampering those who had more than enough, always and ever, and for whom and in whose interest alone the exploitation of this country is conducted, about them, he had not a word to say. It seemed to me a regrettable omission and contrast.

Then, the Honourable the Commerce Member's speech suffered from another significant omission. He did not express a single word of regret for the withdrawal of the cut in salaries that was made last year. It was either the result of a foolish miscalculation or of deliberate misrepresentation, manipulation and fraud. I am not prepared to charge Government with the latter. But even if it was the result of a miscalculation, I think it was due to this House and the Honourable the Commerce Member should have expressed sincere regret on behalf of the Government for the great mistake and blunder they committed. We were assured by the Honourable the Commerce Member last year that the State Railways, except the strategic lines, would be able to carry on without any sort of deficit; but now we find that all those expectations have been bolied. In fact, not only was there a deficit in the year which has closed—in the year 1934-35,—but so far as actuals and accounts go, the actual realised deficit is greater than we were told this time last year. Not only that. So far as the current year is concerned, the gap is much wider. Instead of about two crores the deficit is going to be, according to the Honourable the Commerce Member, 4,54 lakhs. But I will just show that even those figures are not correct. They do not disclose the

gravity of the situation adequately. If the accounts were framed in a proper and correct manner, it would be found that the debit balance in the balance sheet for the year would exceed 12 crores; and I would seek the indulgence of the House for a second just to tell them how this is so.

The deficit in actual working is expected by the Honourable the Commerce Member to come to 4.54 lakhs. To that you have to add five crores payable on account of the promised contribution to general revenues. You will have to add another sum of two crores which has been wrongly transferred to capital, but, which is, according to sound financial canons, debit to revenue, on account of the wrong method of accounting for replaced articles. This error is admitted by the Government and it involves a wrong debit of two crores against capital. Then, the depreciation fund has been calculated in such a manner that 45 lakhs have been knocked off in order to reduce the ostensible loss in their working. Besides this, we are told that there have been postponements of expenditure resulting in genuine deterioration of stock and lines. That would have involved at least an additional expenditure of another 50 lakhs. So there has been a loss in reality of not less than 12 crores 50 lakhs. Yet, if certain circumstances, which were favourable, had not come to the aid of the department, the loss would have been greater still. There were certain windfalls in the matter of interest which have resulted in a saving of about a crore and a half this year, as compared with 1929-30. There have been, besides, certain other savings on account of a fall in the prices of coal, stores and other things. And, but for these features, the actual deficit would have gone up even to Rs. 15 crores. Is it in any way pardonable, is it in any way defensible that, under these circumstances, in a year when the railways are actually being run at a loss of more than 12 crores of rupees, the small, insignificant, negligible cut of five per cent. in salaries should have been restored, and that the little saving of about 90 lakhs which had been effected thereby should have been allowed to be absorbed by the salaries which were thereby raised? Sir, I regard it as a criminal act on the part of the Government.

Then, what is the present state of affairs? We have been told that the total loss in the working of the railways during the last six or seven years comes to about 60 crores. That too again is not correct. The actual loss comes to about one hundred crores, and if the Honourable the Commerce Member or anybody else looks into the figures, he will find out the actual loss without much difficulty. The actual loss, as given in the Report itself, of the working of the Railways from 1931 to 1937 comes to 45 crores 62 lakhs; the promised contribution would come to 31 crores: there has been over-capitalisation to the tune of 14 crores, and there has been under-estimation of the depreciation fund to the extent during the last two years of at least 60 lakhs. If all these figures were taken together, the deficit would come to more than 90 crores, and if all relevant items were put together, it would border on a hundred crores. These are the facts which face us. In these circumstances, whose gravity cannot be over-estimated or exaggerated, what is it that the Honourable the Commerce Member proposes to do? We are, Sir, face to face with a real revolution. He has suggested certain proposals which are altogether inadequate to meet the situation. We were told that the great and eminent Agents were engaged in devising necessary measures and from time to time communiqués were issued to assure that

[Pandit Govind Ballabh Pant.]

Government were taking adequate steps to remedy the present state of affairs, but what is the outcome? The mountain was in labour, but, even the proverbial mouse has not come out of it. What is it that the Honourable the Commerce Member proposes to do? The other day he twitted Mr. Sham Lal for his revolutionary proposal, but, is he ignorant of the fact that we are in the hard grips of a real economic revolution? The economic order is in the throes of an earthquake. The entire economic fabric has been shaken to its very foundations. The machine is out of gear and all parts are out of joint. In these circumstances, petty palliatives can be of no use. We require men of courage, statesmanship, and constructive genius to deal with such crises as are confronting the economic world today, and no amount of tinkering here or there can save us from disaster. I would like the Honourable the Commerce Member to deal with the question in a spirit of scientific realism. What does he really desire to do? Does he not want to find a really effective solution? If he does, then will these means suffice? I would like him to take it from me that political revolutions follow in the wake of stupid and stubborn complacency in the face of economic revolutions, and if the Government cannot rise above its traditions and take courage in both hands and go forward, with a resolute determination to find out a solution, political revolution is bound to come in the wake of this economic revolution. ("Hear, hear" from some Opposition Members.)

The Honourable the Commerce Member, Sir, has suggested three things for coping with the present situation,—first of all, the beggarly device to meet the ticketless beggars; the second one relates to the rail road competition, and the third one to contemplated increase in the rates of freights and fares. Well, Sir, in fact, the Honourable the Commerce Member has altogether failed to come into grips with the real issues. Whom does the question of beggars or of the ticketless traveller really affect? How does the rail road competition affect the present situation? I do not know how he has tried to look into the matter. But the position is plain enough, and I hope he will accept it. There has been an increase in the revenue from passengers and so far as the passenger traffic is concerned, he has got more than he had budgeted for, but there has been a considerable loss over goods traffic. Does the ticketless beggar affect the revenue from goods or is he concerned only with the diversion of revenue over the passenger traffic? Does not the rail road competition today affect the passenger traffic alone? Why fool others? The problem before the Government is how to restore the equilibrium in the goods traffic. So far as the passenger traffic is concerned, there has been an actual increase. Your difficulties this year are due not to any decrease in the receipts from passenger traffic, but they are solely due to the fall in receipts from goods traffic which go to the tune of about four crores in the present year, and may go up even further next year. I ask the Honourable the Commerce Member how can he in any way promote the goods traffic by making ticketless travelling a cognisable offence? I would ask him, how can he touch this question of goods traffic by putting an end to the rail road competition? In fact, even in the case of beggars, the number of ticketless travellers in the last year was about 2 lakhs less than in the previous year. Then again it is not more than one in a thousand. But all these are matters of detail, and I have no desire to go into them at any length. I can only tell him that these methods will not

any way help him in securing the end which I believe he desires as much as we do. But, Sir, about the rail road traffic, does he not understand that the basic reason for this competition is to be found in the uneconomic and excessive rates of railways? I was interested to hear from him that he was not in any way anxious to get rid of this competition, but what he wanted to do was only to divert the motors from the roads that were running parallel to or near railway lines. Well, I was reminded, Sir, of a lawyer who asked his thriving competitor to take up the line of a Solicitor and to make over to him all briefs for courts with necessary fees. He did not want to avoid competition, but he only asked his thriving competitor to leave his field and to take to the Solicitor's line and to hand over to him all suits and pleadings falling within his own purview. My Honourable friend is not afraid of the rail road competition, but he only wants the motors to be removed from the sphere of the railways. Then, he wants the co-ordination in motor and rail road traffic, so that the motor cars may bring more traffic to the Railways. Sir, last year, the Honourable the Commerce Member told us . . .

Mr President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more left.

Pandit Govind Ballabh Pant: Sir, I shall ask you to extend to me a little indulgence. . . .

Mr. President (The Honourable Sir Abdur Rahim): That is the arrangement we have arrived at.

Pandit Govind Ballabh Pant: I don't want to take more time than is necessary, but if I am asked to stop. . . .

Mr. President (The Honourable Sir Abdur Rahim): Members from other Parties may wish to speak. . . .

Pandit Govind Ballabh Pant: I don't want to take much time, Sir, but the question is such that I thought you would permit me to address the House at some length.

The Honourable the Commerce Member told us last year that he welcomed this rail motor competition. These are his very words:

"Scientific research may, quite conceivably and perhaps sooner than we imagine, cut down by a substantial margin today's operating costs of motor transport. Whatever may be the strictly narrow railway view of such competition, present and prospective, we must all admit that in the larger interests of the country it is good that it should exist, for only through such rivalry can the public be assured of the maximum efficiency in service at a minimum cost."

That, Sir, was the statement of the predecessor of the Honourable the Commerce Member, and now he attributes most of his misfortunes today to this rail road competition. The next suggestion that he has made relates to the increase in fares and rates. That is a suicidal policy, and I must warn the Honourable the Commerce Member who should put an immediate stop to this precipitous descent down a steep decline. He must take steps now, in fact, to revise the entire policy. Immense mischief has ensued from these uneconomic rates, because of the exorbitant rates that the traffic cannot bear. Sir, the entire policy of the Railway Department in this respect has been utterly stupid; it has been perverted; it

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has been, I would say, even wicked; and I will give convincing reasons why I make these charges. As compared with 1913-14, the basic year when the index figure of prices stood at 100, today the prices in this country are below 86 so far as the index figure is concerned, and even as regards these, the index figure for imports is much higher than the index figure for the goods exported from this country. That is an important point to be constantly borne in mind. On the other hand, the bill of wages has gone up, since 1914, from Rs. 14 crores to Rs. 36 crores. Similarly, we find that the rate of freight on goods has gone up from about Rs. 4 per ton mile to more than Rs. 6 per ton mile and the passenger fare per passenger mile has gone up more than 50 or 60 per cent. How can you fit in these things? On the one hand, the price level has come down by more than 60 per cent.; on the other, the fares and freights have gone up by 60 or 70 per cent. How can there be any harmony between the two? How can equilibrium be maintained between these two? I have before me the figures for the various countries, but I won't tire the House with those figures. I will only refer them to page 190 of the Statistical Year Book of the League of Nations for 1934-35, and they will find that the index figure for freights and fares, which was 100 in 1913, has gone down, in the case of almost every other country, to something between 70 and 50. The figures are here and the Honourable the Commerce Member can satisfy himself. So far as the railways are concerned, the Honourable Member for Commerce has referred to certain foreign countries. I have got the reports of some of those countries and it is clear from them that the freights and fares have been considerably reduced. It is equally evident from them that the working expenses have been reduced, that the salary scales have been cut down by 20 to 25 per cent. It is equally clear that even in our own country whenever there was a reduction in rates there was a ready response and in that particular direction there was a distinct increase in volume of traffic. For instance, I would refer to the reduction made in passenger rates in the North Western Railway in 1934-35. These facts duly bear out the fundamental principle that volume of traffic varies inversely according to the scale of rates; the higher the rate, the lower the traffic; the lower the rate, the higher the traffic. On the other hand, salaries must be tuned to the price level (Hear, hear); freights and fares must be adjusted in the light of the price level. So, what I suggest to the Honourable the Commerce Member, and suggest with all force, is this. He must follow a scientific course; he must deal with the question in a realistic spirit. He must extricate himself out of the net in which he is otherwise likely to be enmeshed. Let him rise above these vested interests who will not let him see the light and will ever strive to keep him in the dark. It is for him to develop a new outlook, but I can tell him that there is only one method of improving the railway administration, and it is this. First of all, take note of the basic rates as they prevailed in the year 1913-14, take the present index figures into account; then in the light of the present index figures, cut down the rates and fares so that there may be a reduction of at least 25 to 30 per cent. This is only to suit the present circumstances to get over a cataclysm. I may inform the Honourable Member that the Government passed a law in Canada recently reducing the rates and fares by 20 per cent. Then, I would lay stress on this. After having got a likely estimate of the income that a reasonable scale of rates and

freights can yield, you must recast the salaries of all higher paid officials who get their wages above a certain minimum (Hear, hear), and all those salaries and emoluments should be cut down ruthlessly from about 10 to 25 and 30 per cent. I am not making a strange or extraordinary proposal. These steps have been taken simultaneously by all railways almost all the world over; the railway reports for various foreign railways which I have before me fully bear out what I am saying. The Honourable the Commerce Member attributed the present calamity to the policy of economic nationalism and economic depression. But what does economic depression mean? Has he tried to go down to the rock bottom facts? It means nothing more than a terrific, unprecedented, and abrupt fall in the values and prices of raw products and primary articles. And what does a policy of economic nationalism mean, except support by the state of a policy of economic regeneration and reconstruction? What is my Honourable friend doing in order to meet these requirements? The remedies that he has suggested do not touch the fringe of the question. He has not applied his mind to those essential issues to which he attributes his present misfortune, the present loss and the present deficit. Let him remember that economic nationalism can be of help to a country like ours which has unlimited resources, an enormous amount of raw products and a large market, at a time when money is cheap, interest rates are low and wages are low—it is just the time when taking advantage of the present economic depression in the world we can rebuild trade and industry in our own country so that the railways may grow into a much greater and a more profitable factor than they are today. And what does economic nationalism mean? It means a deliberate policy of economic planning. Let the Commerce Member remember that Japan, on the wave of this economic depression, has captured the markets of all the countries of the world. Let him remember that Belgium and Sweden, Norway and Holland today are as prosperous as they ever were, in spite of this economic depression. What my Honourable friend has to do is this, he must rise above this wooden, this iron steel frame; let him not be swamped or lost or merged in it. He must steer with his shoulders above that dark pool, and carry the vessel forward with courage and determination, so that the railways may acquire an appropriate place in the economy of our country. I hope and trust that he will be able to take a resolute and courageous line and that he will save this country and the railways from the disaster which is likely to follow if he allows himself to be guided, without using his own discretion and without applying his own mind, by those who sit near him. Sir, I ask him to take a realistic view of the situation, to develop a scientific outlook and to accept the principles which I have enunciated so that the railways may be able not only to maintain themselves but also to promote the cause of trade and industry on which the economic well being of the country depends. (Applause.)

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100’

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, I rise to support this motion. Sir, it is highly regrettable that the deficits in the railway budget have become chronic, and, year after year, we have to hear the same melancholy tale of deficits, and, under the present system, there seems to be no immediate prospects of a balanced

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budget, not to say, of making contributions to the general revenues. It is an irony of fate, nay, a national calamity that railways which are our greatest national assets, instead of being a source of income and strength to our national revenues should be rather a burden and be unable to meet their liabilities and live on borrowings from depreciation fund.

Sir, I am neither a politician nor a lawyer, but I would like to put, in a blunt business like manner, some of the reasons which, in my opinion, have led to the present unenviable financial position of the railways. Sir, I substantially agree with the Honourable the Railway Member that the fall in earnings has been due to (a) world depression and general collapse of commodity prices and (b) tariff policy of India and other countries of the world (c) increase in motor, river and sea competition. But, Sir, frankly speaking, I am not satisfied with the measures taken by the railways to deal with these factors. I will first deal with the question of fall in commodity prices. The Honourable Member has given figures to show that the traffic in cotton, wheat, linseed and other produce has all gone down considerably. But I think one of the main reasons for reduced traffic, in all commodities as also for other agricultural products, has been due to the fact that though the prices of all these commodities are not even 30 or 40 per cent. of what they were some years ago, there has been little reduction in railway freights and the result has been that the traffic has not been able to bear the present rates of freight which are out of all proportion to the present values of the commodities. Take, for instance, the case of wheat. The price of wheat has fallen from Rs. 6 or 7 to Rs. 2 per maund but there has been little reduction in rates. The North Western Railway are giving a rebate of 25 per cent. on wheat rates to Karachi for foreign export. Why do they not reduce the rate similarly for internal traffic? If the rates for this commodity are reduced considerably, it is certain that Punjab wheat will be taken in much larger quantities by Bengal, Bihar and the United Provinces and may even go to the South of India and thus, the traffic which has been lost to the Railways by the substitution of Sind wheat in preference to Punjab wheat in Karachi, will be regained, and if Punjab has a regular internal market in India, it will have a stimulating effect in increasing the wheat crop. Again as to oilseeds, I know that hundreds of oil mills in Bengal had to close down due to the increase in railway freight on mustard or rape seeds and decrease in the rate for oils as due to these factors the oil mills in Bengal could not compete with the oil mills in other provinces from where Bengal had to import these oilseeds. Thus a large traffic has been lost to the railways. If I had the time at my disposal, I could have multiplied these instances. But this will be sufficient to prove that it is high time that railway rates be thoroughly revised for agricultural produces in view of the collapse in commodity prices. The same remarks apply to various raw materials used for industrial purposes. In spite of consistent demands from industrial and commercial people, little attention has been given to their request and in consequence traffic continues to suffer.

As regards the second factor, namely, the development of internal trade and production, it may be true that long lead traffic to and from the ports has been replaced to a certain extent by short lead internal traffic. But the establishment of an industry in India gives traffic to the

railways both for raw materials, coal and finished products and so all things taken together should not show any appreciable loss to the railways. I am highly obliged to the Honourable the Railway Member for his assurance in the Council of State the other day that "it had always been the policy of the railways in their own interest as well as in the interests of the country to see that their rates were so adjusted as to encourage industries and trade". I sincerely hope that this noble policy will always be adhered to in the best interests of the country. It must always be remembered that trade, commerce and industry are the biggest customers of the railways and the prosperity of the former is bound to reflect on the latter.

Sir, now I come to the third factor, namely, increased competition from road, river and sea. Sir, here I sympathise with the railways in their difficulties. Admittedly, the competition from motor buses and lorries is cutting a big hole in the revenues of our railways and if things are allowed to go on as they are doing at present, I am afraid the loss on our railway revenues will be much greater in future. Sir, I quite realise that this competition has come to stay and will not be eliminated. I am not one of those who would like to see the motor buses and lorries off the road. But at the same time we have to bear in mind that 800 crores of capital has been invested in our national railways and it is our essential duty to see that our greatest national assets do not suffer unfairly from road competition. I think, in a vast country like India, there is enough field for both sorts of transport. In my opinion, motor lorries and buses should primarily be feeders to railways and should not be run in direct unrestricted competition with them. If the motors run on roads in places not served by the railways they would be doing real service to the people in the interior and at the same time will be able to charge a fair economic rate to their customers. This will mean better profits to themselves and avoid national loss to the railways. Is not this unfair to the railways that lorries should take away higher rated commodities like piecegoods, etc., for distances even over a 100 miles, *e.g.*, from Calcutta to Asansol and leave low rated bulky goods to the railways to carry on which the margin of profit is very small.

This matter of rail-road competition has become so important that the Government of India should lose no time whatsoever and tackle this problem most seriously and as early as possible in consultation with Provincial Governments and other interests concerned. Unless this question is satisfactorily settled, I do not see how the loss in earnings to the railways on this score can be regained. Sir, we all know that it is a very difficult thing to raise the earnings of any commercial undertaking as much depends on circumstances over which we may not have any control. This may also be true of the railways. But when earnings fall which it is impossible to check, a shrewd businessman will immediately reduce and adjust his expenditure in proportion to his reduced earnings and if he does not do so he will soon have to go out of business. He will have to cut his coat according to his cloth.

Let us examine whether the railways have so reduced and adjusted their expenditure in these times of reduced earnings. Sir, for the purpose of comparison, I will take the years 1924-25, *e.g.*, the year in which the railway finances were separated, 1927-28, *i.e.*, the year in which the railways were at the zenith of their prosperity and the current year 1935-36. During these years, the total number of mileage of State-owned railways

[Babu Baijnath Bajoria.]

was in round figures 27,000, 28,100 and 31,700 respectively. The gross earnings were 100 crores, 103½ crores and 90 crores respectively. So we see that though the mileage in 1935-36 was increased by about 4,600 miles as compared to that in 1924-25 and by about 3,600 miles as compared to 1927-28, the earnings in 1935-36 decreased by about 10 crores as compared to 1924-25 and 18½ crores as compared to 1927-28. On the basis of the mileage earnings of the year 1927-28, the earnings for the year 1935-36 should have been 116½ crores instead of the revised estimate of 90 crores only or a decrease of 26½ crores or 23 per cent., which it must be admitted, is a very big decrease indeed. Now let us see whether there has been any corresponding decrease on the expenditure side. I regret to find that there is none. The total working expenses including depreciation was about 62 crores in 1924-25, 64½ crores in 1927-28 and 64 crores in 1935-36, which show there has been an increase in expenditure of about two crores in 1935-36 as compared to 1924-25 and a small reduction of ½ crore as compared to 1927-28. During the last four years from 1931-32, there has been a gradual, though slight, increase in the total working expenditure from 62.77 crores in that year to 64.53 crores according to the budget estimates, of 1936-37. Sir, the Chief Commissioner of Railways in the other House remarked that "During the last six years our railwaymen have never taken a rest from their activities in the pursuit of economy. The pressure upon them has been constant and relentless". But, Sir, on the face of the figures which I have quoted above, these remarks do not seem to be convincing at all. I think, Sir, there is plenty of room where economies in working expenses could be effected. Sir, I would like to make some concrete suggestions for the consideration of the railway authorities. First and foremost, I have a suspicion in my mind that the administration of railways is not carried on from a commercial point of view as strictly as it should be done, as railways are nothing but a big commercial concern. There are many outside factors, *e.g.*, political, communal, racial and others which weigh considerably in the administration of our railways and thereby reduces its efficiency and greatly obstructs the reduction in working expenditure as we would like it to be done.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Babu Baijnath Bajoria: Secondly, the administration is top-heavy and over-staffed from top to bottom, and none dare to decrease the number of staff both superior and subordinate, for fear of unpopularity. As regards retrenchment of superior officers, it is like belling the cat. We know that an officer generally has feelings for his colleagues or his immediate juniors and will never propose retrenchment, and, when a number of subordinate staff is decided to be retrenched, influence is brought to bear upon the superior officers by the relatives of the staff who may be employed in the higher categories and retrenchment is thus restricted. When a number of surplus labourers from the workshops is to be retrenched, my friend, Mr. Joshi, or my friend, Mr. Giri, or their Trade Unions, make a big hue and cry, declare a lock-out, stop work and hinder retrenchment in several ways. Sir, under these circumstances,

we have little hope of getting retrenchment by the departmental action of the railway authorities. I would suggest the appointment of an independent retrenchment committee, with non-official Indians on it to go over the whole question and explore every possible ways and means to restore the financial equilibrium of the railways. Thirdly, Sir, I think it was a gross injustice on the part of Government to restore the ten per cent. cut in salary when the railways were doing so badly. This restoration alone has cost us 90 lakhs of rupees annually! I am afraid it will be crying in the wilderness for the re-imposition of this "pay cut". But I have another suggestion to make, *e.g.*, suspend all increments in pay of all railway staff for a few years, till such time as the financial position of the railways improves and is able to bear the increment without showing deficits.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must finish his speech now. His time is up.

Babu Baijnath Bajoria: May I have two minutes more?

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow that. He must conclude his speech.

Babu Baijnath Bajoria: Sir, no business firm will give increment to their employees when their business is running at a great loss.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must now conclude.

Ident.-Colonel Sir Henry Gidney: Sir, I rise to take part in this debate with the desire to suggest improvements in the administration of the railways. I listened very carefully to the very able speech delivered by my Honourable friend on the opposite Bench as also to the speech just delivered. One of them made very drastic suggestions, which, in a measure, have my support, and the other made suggestions which if carried out would lead to nothing else than an economic revolution within twenty-four hours. In the brains of both the speakers, there appeared to be a battle surging between hope and unfamiliarity with facts. My Honourable friend said that the Honourable Member for Commerce had not touched the fringe of the problem. I wish I had heard from the Honourable Member some constructive and not so many destructive suggestions. First and foremost, he suggested that Government should come into line with other railways and reduce the salaries of the Railway staff up to twenty to thirty per cent. The Honourable Member is apparently unaware of the fact that there has been a marked reduction in salaries of the Railway staff, in some departments to the extent of fifty per cent. So I think Indian railways have already gone very far beyond what other country have done in certain departments. I quite agree that a reduction in the higher salaries is very necessary and is an indisputable means of effecting economies (Hear, hear), and I am at one with my Honourable friends in objecting to the retention of what is for want of a better name called the "Lee loot". (Hear, hear.) But I am also one who believes that you cannot introduce reforms into any Department without respecting the vested interests of its present employees. But the present impoverished condition on

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Railways is one that is not devoid of hope. It is one that can be made better if the Honourable Member would, in his desire to help the country, divest himself of that official cloak with which he is surrounded and which I won't say intentionally, disguises actualities or does not place the entire facts before him. My friend, Mr. Pant, made certain suggestions. The Honourable Member suggested that there was great competition—an unfair one between rail and motor traffic. He also stated . . .

Pandit Govind Ballabh Pant: Don't put into my mouth words which I did not utter.

Lieut.-Colonel Sir Henry Gidney: There is more than one Honourable Member in this House who spoke. I did not refer to you. I referred to the Honourable Member in charge of Railways.

Pandit Govind Ballabh Pant: Try and be more specific in your statement.

Lieut.-Colonel Sir Henry Gidney: That is my business. It was stated that this unfair competition was one of the directions in which revenues could be increased and my friend, Pandit Govind Ballabh Pant, in challenging this stated that the traffic from Railway passengers had gone up during the past year, and wherefore it did not contribute towards the Railway deficit. What the Honourable Member, I think, can reasonably claim from this House is that motor traffic should not be allowed to run in the haphazard and unlicensed manner in which it is doing today. In other words motor traffic is allowed in India without any responsibility or guarantees as are demanded from railways, *e.g.*, insurance third party risks, safety to passengers such as the Honourable Member pointed out, over-crowding and cheapness of fares, etc. I think the Government should arrange rules that this motor traffic should run more on roads at right angles to rail lines and feed those areas which railways do not feed. Surely no member in this House is prepared to subscribe to a policy which will deprive the railways of their revenue when it can be avoided by resorting to some such arrangement between the Provinces and the Central Government.

Sir, there are other more practical measures. Let me suggest one or two to the Honourable Member. These will come up at the proper time, but in passing, I should like to present some of them for his consideration. There can be no doubt that although officials will deny it that the present running of the railways, I refer to freights, is done in open competition with one another. There is no doubt that one of the greatest savings that can be effected is by co-ordination or the union of certain railways. Let me give you one case. In Calcutta there is the termini of three important railways which have their own separate . . .

The Honourable Sir Muhammad Zafrullah Khan: I thought that a cut to that effect was going to be moved by the Independent Party—that is, the amalgamation of railways.

Lieut.-Colonel Sir Henry Gidney: My one desire now is to suggest this as one of the practical and effective measures of economy, *viz.*, 1 P.M. to amalgamate certain departments on these three railways, such as stores, medical and publicity departments. Let me now pass on to another suggestion.

There is another very important cause why railway expenditure has gone up and it is the introduction of the divisional system of railways. There is also a cut motion on this matter, so I shall merely content myself by saying that it is another effective means of economy. I would warn the Honourable the Commerce Member and Members on the opposition benches with all the emphasis at my command that if they touch the salaries of the subordinate staffs, it will not be what my Honourable friend, Pandit Pant, said "economic revolution would lead to political revolution". I would transpose his remark and say that "political revolution would lead to economic revolution" and I aver that in twenty-four hours there would be a strike throughout the railways for our sufferance will be a common one. I warn the Railways on that point and I am sure my Honourable friends, Mr. Giri and Mr. Joshi, would support me in what I have said.

Maulana Shaukat Ali (Cities of the United Provinces; Muhammadan Rural): Does the Honourable Member mean that if the salaries of the higher services are cut, there would be strike on all railways, or if the salaries of the lower paid staff are cut?

Lieut.-Colonel Sir Henry Gidney: Does the Honourable Member talk of a feather in the fire or fire in the firmament?

Maulana Shaukat Ali: The Honourable Member did not understand me. He was talking about a revolution in the services. Does he refer to the cut suggested in the salaries of the higher paid staff as no cut was proposed in the salaries of the low paid staff?

Lieut.-Colonel Sir Henry Gidney: There will be no strike among the higher officials for their salaries will not be cut any more.

Pandit Govind Ballabh Pant: I did not want to touch those at the bottom.

Lieut.-Colonel Sir Henry Gidney: That is what I refer to, and I am glad my Honourable friend, Pandit Pant, is now prepared to confine his reduction to the salaries of the higher services and not to the subordinates.

I had no idea, according to Pandit Pant's calculation that the actual deficit was more than as stated by the Honourable the Commerce Member. I have no doubt that the Honourable the Finance Member will be able to explain or the Financial Commissioner for Railways may do so in time. But I am inclined to doubt that there is such an enormous deficit of about 15 crores actually instead of four and a half crores as stated by the Honourable Member for Railways. The Honourable Member on the Opposite Benches described the policy of the railways as wicked. I was almost about to say that it was worse than that. I would say that the policy of the Railway Board is so steeped in officialdom that this House has not got a voice in it. It is high time that the Commerce Member and the Railway Board refused to look at things through the glasses of Railway Agents and the Heads of Departments on railways. It is high

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time that the Railway Board took into their confidence the independent and experienced opinions of those who are not in the railways, those who devote a lot of their time to questions connected with railway administration. Personally I opine that as long as we have a Railway Board consisting of officers as they are today—all of them eminent administrators no doubt—the Legislative Assembly will always find itself presented with a budget which is more the voice of railway officialdom rather than the actual voice and opinion of the Honourable Member because the Honourable Member in charge of the Department (anxious as we know he is, and I know our present Honourable Member is anxious to get to the bottom of every thing as he has given abundant evidence within the short space of time that he has been there)—is in this manner seriously handicapped and I, therefore, join my Honourable friend, Mr. Pant, and ask the Honourable Member in charge of railways to divest himself of this cloak of official environment and to look into the details of railway administration from an independent point of view and not be entirely guided by what his predecessors have done while in office. Holding this view and provided the salaries of the subordinate staffs are not touched, I have great pleasure in supporting this motion.

Seth Govind Das (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I rise to support the cut motion moved by my Deputy Leader, Pandit Govind Ballabh Pant, and I entirely agree with him when he said that the whole railway administration is being run on a most unscientific basis, and the result is what we have seen. At present, the depreciation fund is depleted, the railway reserve fund has been eaten up, the stores balance which stood at a very high figure has considerably gone down. Over and above this, the railways have yet to pay over 30 crores to the general revenues. During the general discussion on the railway budget some Honourable Members have pointed out that it will not be possible for the railways to contribute anything to the general revenues. I think that the time is fast approaching when we shall hear from the Government side that now no contribution should be made to the general revenues by railways. This is only the thin end of the wedge. Honourable Members who have read the Acworth Committee Report will find that over 300 crores which had been invested from general revenues on the railways has been written off. Now, Sir, when we calculate the interest on these three hundred crores we find that even if three per cent. interest is charged, it should be somewhere near nine crores per annum and on the top of that, at the present juncture, we have come to the position that the railways should not contribute anything to the general revenues. In my opinion it is ridiculous.

Mr. P. R. Rau (Financial Commissioner, Railways): How does the Honourable Member arrive at 300 crores which he referred to?

Seth Govind Das: I am saying that 300 crores has already come to the railways as loss from the general revenues which has been written off according to the recommendation of the Acworth Committee Report. Therefore, Sir, first of all, I want to point out that Government should make up their minds not to be influenced by such propositions which are many times brought before this House. Now, Sir, my Honourable friend, Pandit Govind Ballabh Pant, has just said that there is a fall in goods

traffic. The prices were at their highest level in 1921, and if we just see the freights which were being charged at that time we find that now in spite of prices coming down to such an extent, the freight in goods traffic has been maintained, if not increased in certain cases. Sir, it is a principle of trade that when there is a fall in prices and if the same freights are to be charged it is bound to conflict. If we want expansion of our trade it is absolutely necessary that the freights should be reduced in proportion to the prices which have fallen. And as regards the third class fares we can only say that the present economic position of our countrymen is not such that they can pay these high rate of fares which they are being charged. And that is the main reason why motor cars and lorries are being able to compete with our railways. In my opinion, the whole railway finance can be summed up in two phrases and that is that our administrators want to have as much as possible from our railways in the shape of their salaries and allowances, facilities to go in saloons and so on and so forth, and give as little as possible to our trading community and travelling public. In my opinion, in these two phrases, the whole railway finance can be summed up. Here I am reminded of a story. There was a high official who by some misconduct lost his job. He made his household budget after losing his job and instructed his servant to economise in household expenses. After a month when he saw whether his budget was being followed properly or not, he found that under the heads which were for his own expenses there was curtailment, but under the heads where the servant was concerned there was no curtailment at all. The master took his servant to task for this dishonesty and he replied, "Well, you have lost your job, I have not". And that is the position of our railway administration. They have not lost their jobs; they must go on with their usual expenditure; they must get their high salaries; their salaries and allowances should not be reduced; their facilities should not be curtailed. And unless and until some drastic step is taken in that direction the railway finances are going to remain as they are. Now, Sir, what is the position of our high officials? Even the Minister of Transport in England is getting only Rs. 2,000 a month as his salary and our Railway Member is getting Rs. 6,000. The same thing is true of the other staff. This is the state of salaries in comparison with England, while our average Indian's income is 20 times, or even more, less than the income of the people of England. We are to spend such fabulous sums on salaries of the officers.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Seth Gavind Das: I was pointing out that the expenses, especially under the head of "Salary of High Officials" should be considerably reduced. Patching up will not do now. There are times when drastic steps are inevitable, and the time has come, as far as Indian railways are concerned, that drastic steps should be taken to reduce these fat salaries. Besides, there is another way by which expenses can also be brought down considerably, and that is the amalgamation of railways. I am not going

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to take up this point here, because a cut is going to be moved for this subject, when this question can be fully discussed. There is a third way by which expenditure can equally be reduced and revenue increased. While Company-managed lines like the Bombay, Baroda and Central India Railway are working at a profit—and at a considerable profit—our Railway administrators should see why these State-managed railways are working at such great loss.

I should like to say a few words regarding the working of financial schemes on these railways. Their working is most scandalous. I shall give a few instances. An estimation of $8\frac{1}{2}$ crores of rupees was made for constructing the Hardinge Bridge on the Bengal and North Western Railway. After spending this huge amount, it was thought that the bridge was not strong enough, and another crore and a half of rupees was required for making it strong, finding it insufficient again, $1\frac{1}{2}$ crores were wanted. In the Report of the Railway Board for 1934-35 a photograph of the bridge appears, and Honourable Members can see from the photograph what kind of bridge it is, at what stage of construction it is, considering that so much has been spent on it.

Mr. N. M. Joshi (Nominated Non-Official): Who was the Engineer?

Seth Govind Das: He must be some European.

An Honourable Member: Is there any Indian Engineer anywhere on the railways?

Seth Govind Das: Even now I hear that the Hardinge Bridge is not strong enough, and more and more money is being spent on it for making it strong. I shall give you another instance, and that is about a committee which was appointed to effect retrenchment. It was called the Pope Committee. It recommended an economy of about $7\frac{1}{2}$ lakhs of rupees. I do not know . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Seth Govind Das: I shall finish within two minutes. I do not know whether those recommendations were given effect to or not, but for a committee which recommended a small retrenchment, about three lakhs of rupees was spent. In many flag stations tube wells are being sunk, and on these tube wells double or treble the cost of an ordinary well is being spent.

In conclusion, I shall only point out that on all these financial schemes, big and small—from the capitalization of 150 crores of rupees to the scheme of these tube wells—our railway administrators have failed to balance the railway budget, and the time has come when they should take into their confidence the Members on this side of the House and go in for a reduction of expenditure, a reduction of the freights for goods, a reduction of third class fares and so on: if they do so, they will see the result. With these few words, I support the cut motion moved by my Honourable Deputy Leader, Pandit Govind Ballabh Pant.

Sir Leslie Hudson (Bombay; European): Mr. President, we are in sympathy with much that was said by the Honourable the Deputy Leader of the Opposition, although we shall not be able to go the whole way with him. It is not enough to diagnose the disease—though that is a necessary preliminary to a cure. The real question is as to whether the railways problem in India requires the surgeon's knife or can be dealt with by regular doses of homeopathic medicine.

Mr. S. Satyamurti (Madras City; Non-Muhammadian Urban): Nothing doing! A surgeon's knife, and a big knife at that.

Seth Govind Das: A major operation of amputation

Sir Leslie Hudson: All I now propose to do is to refer to one matter which was included in my speech during the general discussion and on which the Honourable the Commerce Member asked for further information in his admirable speech which closed the general discussion. He referred to my remarks regarding the over-capitalisation of the railways and the necessity for a very early revision of the Convention under which railway finances are dealt with. I will endeavour to place our views before the House as briefly and as concisely as possible.

The capital at charge of railways as will be seen from Account 25 of the Finance and Revenue Accounts comprises three chief elements:

- (a) Direct Government outlay. This has generally speaking been met from Rupee or sterling borrowings but some 14 crores have been met from Revenue whilst another source has been the Famine Insurance Grant
- (b) Capital contributed by Companies of Indian States. This represents, mainly, the share capital of Companies which run State-owned railways and amounts expended by Indian States for construction of railways which are run by Government.
- (c) Liabilities involved by the purchase of the big Railways. These are mainly sterling liabilities and represent amounts paid in cash or otherwise for the acquisition of stock and other assets taken over when the recovery of State-owned Company-managed railways was assumed by Government.

The total capital at charge as given in the Finance and Revenue accounts is approximately 800 crores.

The Honourable Member asked me exactly what I meant by over-capitalisation. I take it to mean in general terms the over-statement of the actual value of railway assets, that is to say, that although this 800 crores is the debt for which the Railways are responsible, a valuation of the assets now would show a considerably smaller figure. I will endeavour briefly to indicate the main reasons for this state of affairs. These are; first that from 1923-24 the system has obtained of charging to capital any difference between the original cost and the cost of replacement of any asset. This constitutes a writing up of capital without any reference to earning capacity. The assets replaced since 1923-24 were practically all Pre-war and Honourable Members will be aware that the period since that date until quite recently has been a period of high prices. They will also know that there were big replacements between 1923-24 and 1928-29. An

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estimate of the amount of such over-capitalisation occurring between 1923-24 and 1928-29 can only be estimated and to place it at two crores a year is probably an under-estimate.

The second main reason for stating that there is over-capitalisation is the fact that, under the contracts of the various Companies running State railways, when assets, already charged to capital, are scrapped and are not replaced the amounts representing those assets are not written off capital account but are held there against future possible replacement. That is to say, locomotives, wagons and so on might be reduced from the authorised stock of a Company but their value was left in the capital at charge. This must come to a very considerable amount.

Then, there is the matter of annuities which have been paid off since 1923-24 amounting to something like 20 millions sterling. I believe I am correct in stating that these amounts are still included in the capital at charge.

Another reason for over-capitalisation may also be mentioned, and that is the premium which had to be paid to Companies for capitalised earning power and goodwill. With reduced prices and diminished earning power this must also represent over-capitalisation. In this connection, I find the following in Sir B. N. Mitra's Report on the Railway Accounts for 1932-33:

"A total sum of over Rs. 47 crores is shown as premium paid on the purchase of lines. There is no tangible asset to represent this item and its retention results in the capital being overstated, and in the payment of interest charges and contribution to general revenues on an inflated capital. It seems worth considering whether this item should not be written off over a series of years."

These were Sir B. N. Mitra's remarks in 1932-33.

Having stated very briefly my chief reasons for contending that the railways are over-capitalised it remains for me to attempt to answer the Honourable the Railway Member's implied question as to how such over-capitalisation should be dealt with. He asked whether I meant that the revision of the Convention in this respect should be dealt with by a change in accounting or by reducing the capital of the railways by a stroke of the pen,—the latter step of course being a transfer from railway debt to general debt. The answer, I think, is that both methods should be employed.

I have already given figures which would, I think, justify a transfer of at least 40 to 50 crores from railway to general debt thereby relieving the railways of the interest on that sum.

As regards a change in accounting, it has been admitted on all sides that the system requires drastic revision particularly the revision of the rules of allocation of expenditure between revenue and capital. In my opinion these matters point to the urgent need of obtaining the services of an absolutely independent authority on railway finance to overhaul the whole system of Railway Accounts, including the justice of the present amount of capital at charge, the system in practice of depreciation, and, as I have said, the proper allocation of expenditure to Capital and Revenue and a proper system of writing down Capital if assets are not replaced. A settlement of the question has to be arrived at before the Federal Authority takes over.

In conclusion, I would remind the House that in considering the situation of the Capital at charge and cognate matters which I have endeavoured to depict, and which I maintain should be drastically revised before the establishment of the Statutory Railway Authority, there is one important fact which must not be overlooked. Section 187 of the Government of India Act of 1935 lays down that the valuation of the Railway Capital at the time the Authority takes over shall be such a sum as the Governor General in Council shall, at his discretion decide. It would be expected that such a decision would be a reasonable one for both parties to such a settlement but such an expert examination as I have suggested would at least assist in arriving at that decision.

Dr. P. N. Banerjea (Calcutta Suburbs: Non-Muhammadian Urban): Sir, I gave notice of a motion similar to that of my Honourable friend, Pandit Govind Ballabh Pant, and I have much pleasure in supporting his motion. The demand which we are discussing at the present moment relates to the Railway Board, and, before we record our vote one way or the other, it is our duty to examine how far the Railway Board has managed the railways in the interests of the country. We find that this is the seventh deficit railway budget of the Government of India. The accumulated deficit now amounts to 46 crores; and if we add to these the unpaid contributions due from the railways to general finances, the total deficit would come up to something like Rs. 80 crores of rupees. Now, it is admitted on all hands, that this is a very unsatisfactory state of things. The Honourable the Railway Member has pointed out to us some of the causes of these deficits, and he has mentioned certain remedies which he proposes to take.

The first cause pointed out by him is the world economic depression. There is a great deal of truth in this statement, but I am afraid it does not account for the whole trouble. So far as economic depression goes, it is well-known that it was in view of this very depression that a salary cut was imposed a few years ago, the first half of which cut was removed three years ago and the second half last year. If the depression had not altogether disappeared, what was the justification for removing the salary cut? The deficit amounts to nearly 3½ crores of rupees this year, and the removal of the salary cut is responsible for nearly a crore out of this sum. Therefore, Sir, there was no justification for removing the salary cut last year. This year I am not going to propose once again a temporary cut in salaries, but what I propose is that a permanent reduction be made in the salaries of all high officers. If we adopt a graduated scale for the reduction of salaries starting from a minimum of say, Rs. 250 at the rate of 2½ per cent. going up to 50 per cent. in the case of highly paid officers, the whole of the deficit may be wiped out. Sir, it is perhaps known to many Members of this House that the Indian National Congress laid down that the maximum salary paid to a public servant in India should not exceed Rs. 500 per month.

Some Honourable Members: They have now increased it to Rs. 1,000.

Dr. P. N. Banerjea: No, Sir, the Fundamental Rights Committee, of which my Honourable friend, Mr. Satyamurti, and myself were among the members, suggested that the maximum should be fixed at one thousand rupees, but the Working Committee of the Congress restored the original maximum. Whatever that may be, and whether this maximum may be

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regarded as a suitable one or not, the proposal which I am making at the present moment is a much more modest one, and I hope it will be accepted by the Honourable the Railway Member.

Sir, in defence of the present expenditure policy of the Government of India in respect of Railways the Honourable the Railway Member says that the operating ratio is lower in India compared to the operating ratio in other countries. Sir, the conditions in this country are not comparable to conditions in other countries in all respects, and, further, the accounting system in India differs from the accounting systems in those countries. I may point out one important difference in the conditions, and it is this. In most other countries, the railways have been built out of capital raised within their own borders. In India, however, we have had to finance the railways out of funds borrowed from other countries, mainly from England. This difference in conditions imposes a much greater real burden on the taxpayers of this country, for it is well-known that the real burden of an external debt is always greater than the real burden of an internal debt. If we have to compare Indian railways with railways in other countries, I think we should make a comparison with Japan, which is another Asiatic country. In Japan, the operating ratio is slightly higher than in India,—it is about 61 per cent,—but we should remember what facilities the Japanese railways offer for industrial and trade development in that country. In fact, in Japan the railways are one of the most important agencies for contributing to the economic greatness of that country. But what are the facilities offered for the economic development of this country by the railways? Let the Honourable the Railway Member answer.

The second reason assigned by the Honourable the Railway Member is economic nationalism. This view is correct to a very large extent, but who was responsible for bringing about the result? In the past, the railways confined their attention to the promotion of foreign trade and foreign industry, without considering the needs of the internal trade and the needs of the industrial development of the country itself, and we know what disastrous consequences followed from the adoption of this policy. Now, economic nationalism in other countries has adversely affected the Railways in India. It is now necessary for us to consider whether it is possible for us to turn this evil into a blessing. I think it is possible. Let the Railway Member frame his railway policy in such a way that it may conduce to the economic development of the country to the fullest extent.

The third reason assigned by the Railway Member is competition with motor traffic. This again is true to a very large extent, but what is the Railway Member's remedy? He suggests that railway fares and freights should be increased. But this remedy will not cure the disease. On the other hand, it will aggravate the present position. To reduce railway fares and freights would be a much better remedy, and I hope the Honourable the Railway Member will consider this suggestion. It may be pointed out in this connection that in other countries, especially in Europe and America, fares and freights have been reduced during the last few years with satisfactory results. The Honourable the Railway Member mentioned certain other contributory causes for the deficit, but I will not enter upon a discussion of these causes. I must say, however, that he has somewhat exaggerated the effect of these contributory causes.

As regards earnings, it should be our endeavour to increase them, but as has been pointed out in the speech of the Railway Member, earnings in India are greater than earnings in other countries. Still it will be possible for us to find ways and means to increase our earnings still further. Our chief aim, however, should be to curtail expenditure as far as possible. In addition to reduction in salaries, certain other suggestions may be made in this regard. One suggestion which I made last year was the amalgamation of Railways, and I am glad to find that this question will be taken up by the Independent Party this year. Another suggestion is a reduction in interest charges. The interest charges, paid by the railways, are very high, but as at the present moment there is a tendency for interest charges to fall in the country, we should take advantage of the lower rate and float loans within the borders of India, which will have a two-fold effect, namely, it will reduce the burden of the external debt of the country and we shall be able to borrow at a low rate . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got only one minute more.

Dr. P. N. Banerjee: In conclusion, Sir, I beg to emphasise that economy in expenditure should be our watchword. This economy can be secured by a reduction in salaries and by proper retrenchment in the other administrative charges of the railways, while earnings can be increased by a reduction in freights and fares. Let us hope that the new Railway Member will be able so to adjust his railway policy that it will lead to the economic development of the country and railways will prove a real boon to the people of India.

Sir Ghulam Hussain Hidayatallah (Sind Jagirdars and Zamindars: Landholders): Sir, the finances of the railways are in a hopeless condition, and that requires overhauling. I won't repeat most of the arguments that have been already advanced. I will simply draw the attention of the Honourable Member in charge of Railways to one of the constructive suggestions that was just made by the Leader of the European Group for overhauling the railway finances. Otherwise, he knows that there is a borrowed capital of Rs. 800 crores, the interest on which is Rs. 31 crores per year, and the revenue every year is dwindling. The Honourable Member must now cry halt and set his own house in order. According to the Convention, the railways were to carry on as commercial concerns. May I ask the commercial magnates on my right had they been running their concerns at a loss, would they have continued such things as the Lee concessions, the time-scales of pay and the high salaries? I am sure, they would not. European commercial firms have already cut down their establishments.

Mr. B. Das (Orissa Division: Non-Muhammadian): A Daniel come to judgment!

Sir Ghulam Hussain Hidayatallah: Unless the Honourable the Railway Member pursues rigid economy, retrenchment and reorganisation, I do not think he will make the railways a success. I come to some of the arguments that have been advanced to show why the railway revenues have suffered. That every country is trying to become self-sufficient; the prices have gone down; people do not grow more, and, therefore, there is less

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transport. And my Honourable friend has styled himself an agriculturist.. He himself says that he is an agriculturist also. May I ask him, under these circumstances, will anybody raise the rates of freight and fare which are paid by the poor agriculturist? The second argument that was advanced was the rail-road competition. According to the figures that were quoted by the Honourable the Mover of the cut, the passenger traffic has been paying more than it used to do, and that argument does not hold good at all.

Pandit Govind Ballabh Pant: That is what the Honourable the Commerce Member himself said in his speech.

Sir Ghulam Hussain Hidayatallah: But I will draw the attention of the Honourable Member to the fact that there is competition between State-owned railways themselves, and also, between State-owned railways and privately-owned railways, and I think they ought to put their house in order in that direction also. In the railways, they have Advisory Committees, but they do not pay any heed to the advice of even experts in other departments as regards freights and fares. Let me take the North Western Railway Advisory Committee. It consists of representatives of the Karachi Port Trust, the Karachi Municipal Corporation, of three commercial bodies,—the Buyers and Shippers Chamber, the Indian Merchants' Association and the European Chamber of Commerce—they have also a representative of the Agricultural Department, the Chief Agricultural Officer in Sind, they have also a representative of the Bombay Legislative Council and also the Zamindars' representative. All of them told the Agent not to increase the freight on wheat, and explained to him that that would do more harm to the railway than good. But he would not listen to them. They explained to him that the decrease in income was only in one year owing to the failure of the wheat crop in Sind and the diversion of freight by reduction of rates by other railways, including the East Indian Railway, the Bombay, Baroda and Central India Railway, etc. And yet the infallible Agent of the North Western Railway did not listen even to the advice of the Chief Agricultural Officer, who is a Government servant.

The Honourable Sir Muhammad Zafrullah Khan: Should a Government servant be listened to more?

Sir Ghulam Hussain Hidayatallah: He is the representative of the Government. He placed the whole case before them as to how the railway would suffer, because now only one-third of the area cultivates wheat, and if you put twelve annas per acre more, it is common sense that it will discourage wheat cultivation, of which there is still two-thirds of the area to be cultivated. The whole lot of them are fools and the Agent is the only wise man! The representatives of the commercial bodies, the representative of the Legislative Council, the Government official and the Lloyd Barrage Advisory Committee—they all explained the position to him, but the Agent did not pay any heed to them, and, therefore, I am obliged to support this cut.

Mr. S. Satyamurti: When we discuss the railway budget, we discuss the budget of an insolvent concern, for whose solvency I see no hope. I

will give a few tragic financial facts. We have sunk Rs. 800 crores of the poor taxpayer's money of this country in these railways, and at the end of the next financial year, the railways will owe to us, in one form or another, nearly Rs. 67 crores. I am taking these facts from their own documents; and if the railways are to pay their way, according as any commercial concern ought to pay its way, they ought to earn every year Rs. 11 crores more than they are doing today, as net railway earnings. They must put aside at least five crores every year for amortisation, or you may call it, contribution to the general revenues. They must put towards revenue two crores which they are now charging towards capital, that is to say, or renewals and repairs. They should also provide for making up the deficit, and, on the whole, they have to earn about 11 crores more. What is the chance of the railways earning that? Either they must increase their revenues by 11 crores, or reduce their expenditure by 11 crores, or split the difference and increase their revenue by $5\frac{1}{2}$ crores, and decrease their expenditure by $5\frac{1}{2}$ crores. Has the Honourable the Commerce Member any such proposal in his mind, or has the Railway Board any such proposal? The history of the railways since 1923-24 is one continuous rake's progress, financial irresponsibility of the worst kind. The capital at charge in 1923-24 was 629 crores, and latest figure is 800 crores. In twelve years, they increased their capital by 170 crores. Would you believe it,—they spent every year in the first six prosperous years 25 crores a year, 48 crores on new lines, 16 crores on acquisition of private lines, and nearly 105 crores on improvement of open lines? Do you know the Central Station at Bombay costs a crore? It is one of the most deserted places I have seen, few passengers getting in or going out. On the Erode station, they spent another 50 lakhs, and so on; they have spent three or four crores on mere luxury improvements. Yes. Cawnpore, Lucknow, and many other stations,—Ahmedabad, etc.

My Honourable friend, the Leader of the European Group talked of over-capitalisation. I call it a stunt, with all respect, and I have got the high authority of the Public Accounts Committee of which the Finance Member was the Chairman, which unanimously put this down on record:

"The question thus becomes, not so much one of a slow tendency to over-capitalisation because of a somewhat lax accounting system, but of the inability of the railways as a whole to show a profit even on the present system."

Therefore, I suggest that all this idea of transferring 40 or 50 crores to general revenues, which the Leader of the European Group suggests, and at which I see the Honourable the Commerce Member jumps, is merely transferring, according to his own argument about strategic railways, the burden from one hand to the other.

The Honourable Sir Muhammad Zafrullah Khan: When did I jump at that suggestion?

Mr. S. Satyamurti: I am glad to hear that remark. That is some assurance to me. I dread this idea of the Federal Railway Authority going scot-free. I understand the whole idea. The new Railway Authority is coming. It is going to be an *imperium in imperio*. They want to have their revenues for all these expenses. Therefore, you want to make this easy for them by transferring to the general taxpayer 40 or 50 crores of the capital which ought to be debited to the railways. I protest most strongly against it, on the authority of the Public Accounts Committee itself.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member seems to know my mind better than I do.

Mr. S. Satyamurti: Sometimes, other people know your mind better than you do. Then, Sir, I would draw attention to two facts about the Retrenchment Committee's report. They made various recommendations. How many of these have been carried out, I am not in a position to say just yet; but I will say this, that they recommended the reduction of the Railway Board's number of Members from three to two. They recommended a reduction in the number of Deputy Directors. They all remain exactly where they were. One small point I want to make is this. Each one of the Deputy Directors is getting an allowance of Rs. 250. The Retrenchment Committee said they must not get the allowance, because they cannot claim the analogy of being a Government Department, while claiming for other purposes to be a commercial department. They still continue to draw those allowances.

Then, in 1924-25, on a mileage of 27,000 the railways had gross earnings of more than 100 crores; and, in 1935-36, on a mileage of 31,869, their gross earnings are just under 90 crores and, in 1934-35, their operating expenses were 51.65, and now, in 1936-37, they are again nearing 51.25; that is to say, when we had a surplus of 13.16 crores, we spent on operating expenses only as much as we now propose to spend when we have a deficit of five crores. I want to ask my Honourable friends here who are commercial magnates whether they would tolerate, in their own concerns, this ratio of operating expenses. Net traffic receipts now amount only to 27 crores, that is about 3.3 per cent. of the whole capital at charge. So far as capital which is now sunk in the railways is concerned, we are paying interest much more than 3.3 per cent. Therefore, they are failing to meet their interest obligations.

Then, Sir, the Inchcape Committee recommended that railways should be worked as to yield $5\frac{1}{2}$ per cent. on the money sunk in them. Therefore, if we are to pay 31 crores of interest every year, put down two crores for replacements and renewals, another five crores for amortisation, it comes to this. You must get over the present deficit of $4\frac{1}{2}$ crores, make seven crores more, that is, $11\frac{1}{2}$ crores. That is, instead of 27 crores we are now making, we ought to make about 38 crores. How can they do it? How can they increase their railway receipts?

There has been a good deal of talk of this rail-road competition. I would like to amend it by saying it is not rail-road competition but it is rail, road, waterway, and coastal shipping competition. How are you going to do that?

An Honourable Member: Bicycles also.

Mr. S. Satyamurti: On this side of the House, there is a strong feeling, with which, I am sure, every section of the House will sympathise, that, whatever you may do or may not do, you ought not to make the poor man's conveyance dearer than it is today. Therefore, if you are co-ordinating all the means of transport, you ought to compete by means of making your communications as cheap, as comfortable, and as efficient as possible and ought not to penalise, by legislation, the poor man's conveyance. Then the passenger traffic has decreased, is decreasing, and, I am afraid, will continue to decrease, unless steps are taken to make

railway travel as comfortable, as convenient, and as cheap as travel by other means of conveyance, provided they are brought under one co-ordinating organisation.

There is one matter on which I know there is unanimous opinion, in all sections of the House, and I want to mention it for the Honourable Member's consideration. Why should we give these concessions to the military authorities? What do they cost? Why not debit them to the military budget and why not debit the two crores loss on strategic railways to the army? There is no use saying it is from one hand to another. I would be able to attack the military budget better, if I get these two crores put down under the army. It is not fair to the railways. It is not fair to this House or the country.

Then, Sir, there is another very controversial matter which I merely want to mention, the position of the railway collieries. What is the policy of the Government in that matter? Then the concessions to Tatas. Then, the saloons. I will beg of my Honourable friend to examine why these saloons should be continued. What do they cost? He can save some money over it. Then, what about the various concessions given to various people in one form and another? You must follow a relentless policy of retrenchment, or if necessary, appoint a fresh Retrenchment Committee of this House, to go into the whole question and suggest where the axe may be laid usefully. Why should there not be a drastic and steep cut in the railwaymen's salaries, excepting my Honourable friend, the Railway Member? Why should there not be a cut of ten per cent. upto 25 per cent., exempting incomes below a certain minimum?

The Honourable Sir Muhammad Zafrullah Khan: What is the minimum you suggest?

Mr. S. Satyamurti: I suggest Rs. 100. But I want a steep cut which will give you at least a crore of rupees. You had two crores from the ten per cent. cut. What I feel is this. I should have expected the Honourable the Commerce Member to show a little more concern. I find towards the end of his speech he made a facile comparison of our railways, with other railways, in Canada, Australia, New Zealand, and so on, and said: 'All is well with the world, I am in office, Russell is my Chief Commissioner, Railways are bad in other countries. May they be bad here also!' This facile optimism is unworthy of any man who seeks to bring a fresh mind to bear on these questions.

So far as the relation of the railways to the State is concerned, undoubtedly during the first six years they earned a profit of 50½ crores and paid into the depreciation fund 12½ lakhs more than they took out of it. They can take credit for it, but they will owe us, at the end of the next financial year, 66½ lakhs. Therefore, they are bad to the extent of at least a crore and a half; and you cannot hope to put by anything to the railway reserve fund until you have paid 67 crores. Is there any chance of your doing that?

The Public Accounts Committee has suggested various remedies, and I want to merely mention them. Interest charges have shown a tendency to fall, and in five years' time there may be a fall of about two crores. Thanks to the world conditions. No thanks to you! The new scales of

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pay for new entrants will ultimately produce a saving of three crores a year, but 30 years hence. And the Railway Board think that no more minor economies are obtainable of an administrative nature. If they are so incompetent, sack them. Put other men there who have got some brains. The Public Accounts Committee said that they should adopt some means of increasing revenue, and of reducing expenditure. I hope the Honourable the Finance Member will take part in this debate. He was a party to this report. I do not think anybody can describe the parlous condition of railway finances, better than this report, to which he is a signatory and a party. I want to know what he is doing, apart from the intervals when he is getting angry with us,—whether he occasionally gets angry, with his colleagues on the Treasury Bench, and tells them to do something to put the railway finances on a reasonably sound basis. (Laughter.)

Sir, so far as freights and fares are concerned, I agree that to increase them now is a short-sighted policy. I do not think it is right that you should do it; you may be killing the goose that lays the golden egg. Reference has been made to the Federal Railway Authority. It is like Frankenstein's monster: the Railway Authority, when it comes at all, will probably swallow the Honourable Member,—and how on earth the Railway Authority is going to make a provision for paying out of its revenues, all the obligations described in the sections of the Act, unless you perform the mathematical jugglery of transferring to the general taxpayer fifty crores of rupees of railway debt, I fail to understand! I hope they will not do that.

Sir, my Honourable friend suggested that we should not be destructive in our criticism but should make constructive suggestions; and I will oblige my Honourable friend by making constructive suggestions. You must do something to increase your passenger traffic, and you must keep the goods traffic on the upward level. You say you have done all you can, but there are other ways of doing that. Sir, the third-class passenger should be made a welcome guest, and not the unwelcome intruder that he is today. Sir, today, the third class passenger is made to feel, from the moment he tries to enter the railway compound right up to the moment he leaves, that he is nothing but a prisoner, and that he has come to do a very unpleasant duty by travelling (*Cries of "Shame, Shame"*). Sir, that is not the way to encourage passenger traffic.

Sir, we hear things said about the policy of protection affecting prejudicially the railway income; if India is not able to make her balanced budget, the Finance Member tells us it is because of protection. I would ask my Honourable friend not to take these things second-hand, from the Honourable the Finance Member. The Finance Member is an Englishman, who, subject to Ottawa, is out for free trade; but my Honourable friend must remember that he is both the Railway Member and the Commerce Member and he should regulate his policy with an eye both to an increase of railway earnings, and also to the prosperity of this country. Competition, I agree, must be controlled, but it cannot be controlled by merely legal methods; you must make your railways subserve the common purposes of communications by a unified policy; you must not have twelve Departments of Government having twelve different points of view. You must have a drastic cut in the numbers and

the salaries of the staff. You must say yourself: "I must get my two crores, and the Railway Board must produce it; otherwise they will have six months' notice". (Laughter.) Sir, Englishmen are past masters in obeying when they get firm orders: You must tell the railway authorities: "You must produce these two crores of rupees, otherwise six months' hence you will go." (Laughter.) So long as you cajole them and argue with them, they will say: "No, Sir", but give them six months' notice, and you will get your two crores all right. (Laughter.) And, then, you must, in looking into your working expenses, get a good expert, not a "Pope" (Laughter), somebody like Sir Joshua Stamp, somebody who knows what railways mean and reduce your working expenses by a good percentage. Then, you will get some method of making both ends meet.

Mr President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. S. Satyamurti: And I want my Honourable friend not to have the spirit of Launcelot Gobbo about the acquisition of Company-managed railways. Similarly, my Honourable friend ought not to madly talk about these things, and rest content there; you must not simply say, gently: "Let us have amalgamation, some time, you may save some money in your overhead expenditure," and so on and so forth. You must be more firm and energetic.

Sir, one other way I might suggest and that is that Government officers might pay for their travel from their own pockets, and not from those of Government; in that case they will travel less luxuriously, they will use only first class and they will be saving expenses for everybody concerned. Withdraw all the concessions. Co-ordinate all transport authority. Sir, it seems to me that apart from the political incompetence of this Government, its economic and financial incompetence is past description, and it seems to me that, while it is easy by an Ordinance to make lawful associations unlawful and unlawful associations lawful, no ordinance can make two and two five; and only the most rigid pursuit of economy will produce a saving. I would, therefore, suggest to the Honourable the Commerce Member to bring his fresh mind to bear on the question, and to remember that the whole of the public will be with him in his exploration of further fields of economy. The public demand, Sir, that they cannot tolerate this state of affairs, and you must make a saving or an earning or both of at least 11 crores more; and let my Honourable friend set things going which will give us some tangible, immediate results; otherwise, I hope this House will unanimously pass this cut and censure my Honourable friend and his Railway Board. (Loud Applause.)

Sir Abdul Halim Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): Mr. President; we have listened to the speeches this afternoon and this morning, and I may say at once that we all agree that something must be done to balance the budget and we also agree that some drastic measures have to be taken. (Hear, hear.) But before I proceed, I must say this that we have now got a Member in charge of Railways who has come from amongst India's public men. Let us trust and hope that he will not put on the spectacles of bureaucratic

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vision and carry on his duties. As my Honourable friend, Sir Henry Gidney, said this morning, he had found a very great change in the present Member, that he was accessible to everyone and that he would not see things except with his own vision. Sir, if he will do that, he will find out ways and means to balance his budget. He has assumed office only about eight months now. . . .

The Honourable Sir Muhammad Zafrullah Khan. You might leave me out.

Sir Abdul Halim Ghuznavi: . . . and we cannot very well except that he will be able to grasp the whole situation at once and place it before this House. So far as we can see now, he has started very well and we hope and trust that when he presents his budget next year in this House, it will be a different budget altogether. Now, Sir, various methods were suggested to reduce these deficits, and one was a drastic cut in the pay of railway officials. Honourable Members will understand that these officials are appointed under a covenant.

An Honourable Member: Is the cut against the covenant?

Sir Abdul Halim Ghuznavi: May I complete my sentence? Probably the Honourable Member was not a Member of this House when the ten per cent. cut was imposed; the Secretary of State, Sir, had to go to the House of Commons and make a statement that although it was not legal, he expected every I.C.S. officer to voluntarily accept the cut. (*An Honourable Member:* "the I.C.S.")—yes, and the same Government rule applies also to the Railways. It is no use your shaking your head in that way.

Mr. S. Satyamurti: I will then shake it in this way.

Sir Abdul Halim Ghuznavi: And also that is exactly the reason why the other day I opposed the Government acquiring the Bengal and North-Western Railway. (*An Honourable Member:* "Oh, I see"!) That is a paying concern to-day, and the moment it is acquired by Government it will be a losing concern (*Ironical cries of "Hear, hear"*), and it will have to pay interest on another £17 million. But, Sir, I would suggest this that in future when appointing railway officers they should be told as in fact we do in the case of our own offices that if they cannot make Railways profitable, they will have to go; and also it would be much better if the Honourable Member would impose a permanent cut of five per cent. in that case. That brings in about two crores. If there is a permanent cut like that, I am sure, the budget can be balanced and the railways might be made to earn profit. I think if the Honourable Member in charge of the Railways sends out a circular for voluntary cut in the pay of higher officials, they would readily agree. Sir, I remember in Calcutta when the buses were first introduced, the tramway companies were losing. Month after month they began to have deficit budget and when the tramway company introduced their motor service they found they could not compete with private motor buses. Then perhaps a new Agent came with better brains and he devised very efficient

methods of running of the tramways with the result that it crippled the Calcutta motor bus service and the tramway is now making profits. The tramways are performing very efficient service in Calcutta and I have never found better service in the whole world that I have travelled. The suggestion that I want to make in this connection is this, that if the railways will accelerate the local trains and reduce the third class fares for less than 100 miles distance, then the railways will be able to compete with motor service. The railways should reduce the fares for shorter distances. I am not suggesting that they should reduce the fares for longer distances, because the travelling public cannot avoid travelling by train for longer distances. Therefore if the railways are serious about combating with the motor menace, then they should reduce the fares for third class and give more accelerated service for a distance of less than 100 miles. I do not think the Great Indian Peninsular Railway loses much income on their service from Bombay to Kalyan where there is electrification of railways. In Calcutta which is the second City in the British Empire there is no electrification of railways. Nothing has been done in that connection in spite of so much demand. The excuse of want of money is put forward. But may I ask where is the money for the purchase of the Bengal North Western Railway? Why do you ask the Government to take over that railway? The other day we heard from several Honourable members that money was very cheap now. Why not borrow money in the market and get the electrification done as early as possible. Calcutta is a very congested city and people have to come from such a long distance as 67 miles, that is from Burdwan. If only there had been electrification of the line up to Burdwan, look at the enormous amount of passenger traffic and goods traffic that will come to the railways. Take for instance the East Bengal Railway, where the local trains up to Naihati are very slow and nobody wants to use those trains. The distance is covered in two hours whereas a bus would cover it in much shorter time and at much less cost to the passenger. Take, for instance, what happens to the Barrackpur races; nobody uses the train to go to the Barrackpur races, because the busses are more cheap and they take less time to reach that place. The train nearly takes one hour to reach that place with the result that the railways lose all their passenger traffic which is diverted to the busses. I can also cite the instance of Kalka-Simla Railway where the taxis are much cheaper and they cover the distance in much short time.

I would suggest a reduction in the second class fares by 33-1/3 per cent. and the abolition of Inter class. I would not abolish the first class but would rather raise the charges for first class so that those who want to enjoy the luxury of a first class should pay for it. Another suggestion is the closing down of smaller stations within short distances. These stations are no longer required because the motor busses carry passengers to shorter distances and these stations are costing us money without giving us any return at all. One thing that I have been trying to impress upon this House and upon the Honourable Member in charge of the railways is the top heavy administration. By one stroke of the pen we can reduce half a crore of expenditure if we adopt the policy of amalgamation of the two separate offices in Calcutta. In Calcutta across the same road, you have the offices of the East Indian Railway and the Eastern Bengal Railway, with double Agents, double Deputy Agents, double

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Medical Officers, and double everything. I have a cut in my name to raise the question of the amalgamation of these offices. If my motion is reached, I propose to give more detailed reasons for my suggestion. I shall be able to show that we shall be saving half a crore

As other Honourable Members, who have preceded me, have suggested, there must be reduction in freights for shorter distances. As my Honourable friend, Mr. Bajoria, has pointed out, goods are being sent to Burdwan in lorries. If the freights are reduced for shorter distances, then all this goods traffic will be diverted from the motor busses to railways.

An Honourable Member: What about tips to get wagons?

Sir Abdul Halim Ghuznavi: No tips will be required for shorter distances. I am sure, the Honourable Member in charge will take note of all the criticisms that have been made in this House and the suggestions that were made for improvement, and, I am sure, he will devise ways and means, so that, the next time he presents his budget, it will be far better than now.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muham-madan Rural): Mr. President, perhaps the one single largest item in the public debt of India is under the head of railways. That being so, I am one of those who cannot look upon this matter and the analysis of it in the somewhat happy and detached manner in which it has been approached by the Members on the Treasury Benches. For, after all, the most important issue to be faced is how and in what manner is the taxpayer, who has annually to find the money to pay from 29 to 31 crores, called interest charges, is to be helped out of the continually growing burden of this country. It is from that point of view that it is necessary to approach this question rather than the way in which it is approached in the admirably candid manner of the Honourable Member who presented this budget. I was reminded, when he presented the budget, of a surgeon who comes and says: "I have examined the patient very carefully, I believe there is no hope for him." If that is the type of surgeon we are going to employ, I am afraid we have employed him in vain. What we, therefore, need is not merely a diagnosis of what he calls the ever growing disease every day, but also a suggestion of the manner in which the disease is to be met. For, indeed, the manner in which the whole of this budget item is prepared and approached is wrong. It is economically wrong, and it is still more wrong from the point of view of the present condition of railway finances which my Honourable friends rightly described as insolvent. It seems to me that the budget is conceived in this spirit: that there is a certain amount of fixed expenditure which cannot be interfered with, all you have really to do is to see how you can find an equivalent income, not merely from the source which is the subject of discussion, but, if necessary, from the pockets of the taxpayer. That certainly is a happy-go-lucky manner in which a budget of this kind can be approached as it is approached; for it is easy enough to say, "Every year we are losing and we have also almost exhausted the depreciation fund."

The time is ripe when undoubtedly, without approaching the question from that point of view, it must be approached from the point of view of the tax-payer of this country. The way in which the matter has been dealt with is not one that will commend itself to the expert employee of any Government where responsibility of any kind rests on his shoulders, irresponsible though he may be to this particular legislature. It is not enough for him to tell the House: "Oh, I am not here to create revolutions; I am here to carry on the deficit from year to year; do what you like." That is not the answer that I expected from a man who has not joined the service with the same fetters on his mind or on his principles as those others of his colleagues have. I expected that though he may not be able to present immediately a budget which was balanced, I undoubtedly did expect that he would approach it with greater courage and with a considerable amount of fearless criticism, not so much from us as from his own friends whose pockets he dare not encroach upon. I for one am often told: "You on the other side give us general advice". It is a very cheap way of describing the efforts that we make to show what principles should be adopted for the purpose either of general administration or of a particular approach thereof. If you appoint commissions what do they do? Do they sit down every day with your expert and sit down and tell you in what manner the principles which they lay down are to be applied from time to time by the permanent executive of the country? It is undoubtedly up to us to define the point of view and the principles which should underlie the management of a concern like this; and it is up to the experts to adopt them, though they may not be responsible to us, at least they are expected to be responsible to conscience and responsible to a certain extent to the right principles. It is for that reason that I want in the first instance a correct approach to this problem. And before I define the principles further there is one more matter to which I wish to refer because of the way in which it was mentioned by my Honourable friend, Sir Leslie Hudson. He said that the new Federal Railway Authority is going to take over charge of the railways of this country and that there is a provision in the Act whereby the Governor General in Council will have the right or the authority to state at what particular capital charge it is to be taken up. I wish to warn those who would be in charge of such an adjustment against doing an act which would be really an act of spoliation, in the name of what is called over-capitalisation. It is not a case of over-capitalisation in any other sense than this that the Indian Government from time to time has borrowed money for the purpose either of building some or acquiring other railways. There can be, therefore, no question of over-capitalisation in the proper industrial sense at all. But I do not know if what is meant is that a part of this capital liability is to be transferred to the general liabilities of the country and that the future federal railway authority is to be put in the happy position of being able to say: "We have got an asset for half the money and therefore whatever we produce appears by a jugglery of figures to be a profit", thereby enabling them not merely not to decrease the expenditure but comfortably to increase it from time to time. The greatest danger of writing down the capital for any such purpose would be immediately this that it would be possible for those in charge of that concern to be able to say that expenditure need not be cut down. And, therefore, it is time, Sir, that they realised that in so far as this particular adjustment is concerned it will be an adjustment of taking over this particular concern at what it has cost the Indian tax-payer

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through the Indian Government and not a pie less. There is an insidious danger underlying the proposal and the suggestion which is being made, the danger being that you would not have that inducement for the purpose of making this industry pay as it ought to be made to pay. And that is very important point of view which must be borne in mind in future. It is not merely a tale of woe that we shall not be able to balance the budget because the successor of the present Railway Member, the Federal Railway Authority, would be in a very happy position if he is to be told: "Oh, it does not matter. Now, you pay interest charge on 400 crores instead of 800 crores, that being the actual value of the assets today, and, therefore, in place of 31 crores you will only have to find 15 crores. Therefore, you have committed the greatest possible feat in finance, namely, balanced your budget and shown a profit" That is the one danger and a very serious and insidious danger that I notice in the suggestion, innocent though it may appear on the face of it on this particular occasion.

The separation of the railway finance from the general budget was intended for quite a different purpose because it was hoped to produce two results; first, economic management and second, a contribution to general revenues. It has failed in both, but it has succeeded in one, namely, that the railway finances having been separated the railway federal authority has been found easy to introduce into the Government of India Act. So that, instead of finding an advantage from what was supposed to be financially a very convenient arrangement with better and more hopeful results, it has resulted in loss in both directions. They have contributed nothing, so far as general revenues are concerned, for all practical purposes; and far from balancing the budget by a measure of economy they have always shown a deficit at the cost of the tax-payer. But the third result which is still more serious is a matter against which it is necessary to sound a note of warning; and I hope and trust that being an item of debt incurred by the Government of India they shall not, and I hope will not, transfer by means of a subterfuge of this kind an additional liability to the tax payer the responsibility of which must remain with the Federal Railway Authority for all time.

That, Sir, is the principal point which has to be borne in mind. There are two other matters to which I wish to allude on this question of railway finance. Undoubtedly I am one of those who fully understand that one should approach the question of railway finance from a certain amount of definite minimum expenditure which cannot be avoided. It is not like an ordinary industrial concern where you may first estimate your expense before you start on the venture at all. But in that there is one important point of view which must be remembered. The railways started some 70 odd years ago largely from strategic considerations—though for budget purposes only a small item is described and treated as strategic—largely based on its utility for the movement of troops in this country, as it is undoubtedly for the purpose of the movement of traffic. So that railways in this country have served from the very commencement and in the earlier stages as a paramount purpose—the paramount idea has been the holding of this country. It should, therefore, be remembered, and it is also a known fact, that with a view—in those days of trouble—to expedite the building of railways, a disproportionate amount of expenditure per mile has also been incurred; and if it

comes ever to sharing the burdens of the 800 odd crores and more and more money which has already been spent away in the guarantee of interest until the acquisition of railways, the time has arrived when an adjustment will have to be made out of this, but this is hardly the time for a discussion of that matter. But it should be remembered that in so far as approach to this question is concerned, inasmuch as it serves a double purpose, I am in entire agreement with Mr. Satyamurti that a percentage of this should also be allocated for this purpose as a part of the general budget included in the military expenditure, for then only we shall know how much of the capital and interest charges are to be borne by at all events that one voracious claim which is being made year by year and increased from 29 crores, to where it stood last year at some 54 or 55. I, therefore, suggest that in so far as this budget is concerned, there are two things to be done; and so far as traffic is concerned, undoubtedly it is the duty of a railway, subject to qualifications which are well known to experts, it is not so much a question of what it costs to carry as the value of it to the consumer, namely, the man who wants the freight. Among the causes which are given of the failure of the railway to balance its budgets are (1) the world depression and general collapse of commodity prices, and (2) the striving after self-sufficiency by almost every country in the world including India and development of internal trade competition.

Taking first the first—the general collapse of commodity prices—is it or is it not to bear a proportionate and certain amount of fair rate in so far as the cost of carriage is concerned, and is it to be the ground for saying that though the commodity prices have fallen, the value to the consumer is proportionately higher in the freight that you charge, it is still not only to remain the same, but should go up now in order only that you may be able to get more and more revenue. I am one of those who believes, and I put it to the Honourable Member, whether the very reason that he has given is not a reason for taking a more bold course and so shaping his freight policy as to adapt it to the falling or to the general collapse of commodity prices, so as to produce what he complains the other countries have done. His complaint appears to be that what other countries have done is that they are trying to be self-sufficient, meaning thereby, I take it, that the exports from this country (which become imports into the foreign countries) are getting lesser and lesser and to that extent movement of traffic purposes is lessening. If that is what is meant, why may he not take the example of the very countries which he gives as a cause for the lessening of our revenues, and adopt the policy of the stimulation of internal trade and of production by the very processes by which the other countries have adapted themselves. I entirely agree with Sir Leslie Hudson that it is the one department, so far as Government is concerned, which refuses to adapt itself to the changed conditions, and after all, adaptation is the law of life except where life is kept up by means of the higher oxygen power that exists on the other side. If they are really to live properly, if the expert employed by the taxpayer is to live, it is their duty first to adapt this freight policy, and, without being a prophet and without offering cheap advice and understanding what little I do of freight-making in this country, learned probably with the assistance of their own experts, I may confidently tell them that their only right policy in the matter of freight is to adapt the freight to the fallen prices of the agricultural products of this country and thereby increase the internal trade and production of the country. For

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that is the only sane, that is the only right policy, and is never likely to cost them anything at all. The fact today is that on a lesser movement of trade they make a little better money in order that they might be able to show a lesser deficit. But that is little consolation. Even if they earned the same amount of money by lowering the freight, increasing the internal traffic and increasing and assisting in the internal production, they would have certainly rendered a better service and acquired the same sum of money,—though I am one of those who is optimistic enough to believe that with the revision of the freight policy adapted to the very actual conditions which are said to be the causes of the depression, he would repair the very mischief which he here deploras.

Next, Sir, the only other point that I wish to urge upon is that I am told—at least we were told—that there were difficulties in the way of the revolutionary change which is suggested in balancing a budget of this kind. To be brief, you can balance the budget in one of two ways. Comparatively simple though it may appear, and though it should always be a matter of businesslike transaction, you must find where you can add to your income and you must find where you can reduce your expenditure. So far as adding to your income is concerned, it depends on the efficiency of the services that you provide. As that is a subject of constant discussion in the House, I will not dilate upon it, but that is a matter that does not appear to have received sufficient attention from the Member in charge of this particular department. In addition to the efficiency of services to provide, you have also to see that you create more demand for your freight which is always available, in that it is one of those means of transport which is to run continuously, hour after hour and day to day. It is these two fields into which sufficient search has not yet been made, in order to find out a commercial and a more prudent way of managing what, after all, has been entrusted to them. On the other side, when it comes to finding your expenditure in normal cases, one would have said, one would have thought that if a particular industry or business did not pay, you would share the burdens, the loss with all the colleagues, with everybody engaged in that particular industry. But that does not seem to be the principle applicable to this particular one. In fact, it is said: “what about the obligations incurred?” If it is possible to employ men on a new scale which in due course of time will save you three crores of rupees a year, of what is it the test? It conclusively proves one thing, that the service which is rendered by the men today occupying the same place is certainly worth less by three crores than they are paid today, for what is the meaning of saying that we are in a position to replace all these men by people who are willing to work on a wage which will be less by three crores, only when they have all filled up their places? Sir, they suggest that you cannot cut down the salaries of those who are in the enjoyment of salaries today. But indeed when the time of depression, rise in prices or other reasons come, with what equity do they go to the Finance Member or this House and say “Our salaries are insufficient, they must be increased.”? Has that fixity of salary ever been regarded as restrictive of their claim of excesses? Equally, in equity, I cannot see how, when circumstances have altered, we cannot go back to them and say “It is up to you; for the very services that you render, we can get substitutes at prices which will enable us to balance our budget, and if

hitherto enjoyed." We on this side, therefore, believe that looked at as a budget of any individual business concern of any kind, it has failed on either side. It has failed in that so far as expenses are concerned, there is no approach to the budget of making it a proper business concern. It has equally failed on the income side in that it has not done all that it should do,—in fact, it has followed a policy which to a large extent is responsible for the reduction of its income from time to time. It has not taken advantage of the very situation by which the prices have fallen and accommodated itself to the circumstances so as to confer directly or indirectly the equivalent benefits in the shape of better services, better internal distribution and a larger production in this country. Sir, I support the cut that has been moved.

The Honourable Sir Muhammad Zafrullah Khan: Sir, in dealing with the speeches that have been made on this cut motion, I shall, 4 P.M. having regard to the time at my disposal, first try to meet one or two points sought to be made by the Honourable the Mover of the cut with regard to which I think there was some misapprehension in his mind. After having cleared up those matters, I shall offer some observations on some of the general and more important suggestions that have been made to Government during the course of the debate. If time then permits, at the end of those observations I might be able to deal with some of the minor suggestions that have been put forward.

With regard to the matters on which I said there might be a misapprehension, may I take up first the question that the deficit is really larger than appears, because some of the items which should have appeared on the debit side or should have been larger on the debit side have not been shown at all or not shown to their full extent on that side? For instance, it was said that we had reduced the depreciation charges by 45 lakhs, and it was part of the general argument that we had done that in order to show a smaller deficit and in order to show that we were in a more prosperous or less stringent condition than we actually were in. I beg to submit that that is not so. It was not done with that purpose at all. As a matter of fact, the change in the method of calculating the appropriation amount for the depreciation fund was for the purposes of simplification. It was not done by the Railway Department on their own—it was agreed to by the Auditor General, and approved by the Public Accounts Committee and the Standing Finance Committee, and, therefore, it was not done in a stealthy manner in order to show that the deficit was less or would be less by about half a crore

Pandit Govind Ballabh Pant: But it had the effect of reducing the deficit by 45 lakhs.

The Honourable Sir Muhammad Zafrullah Khan: It certainly has had that effect: I was merely saying that there is no question of anything being improperly done here at all. But if it was properly done, the mere fact that it has resulted in reducing the deficit surely cannot be taken as an objection to it.

Another matter that was referred to was that, in order to show that we were in a more prosperous or less unsound position than we actually were in, we have during the last few years, continued to decrease our stores balances. It is true that the reduction of those stores balances from

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22 crores to nine crores does enable us to carry a lesser interest charges: that is to say, the interest charges have been reduced by about 65 lakhs over a certain number of years; but that again cannot be said to have been done with the purpose that a certain number of years later, when we had reduced these stores to their proper quantity, we would be entitled to utilise this extra 65 lakhs for the purpose of restoring the pay cut. There was no connection between the two whatsoever. I shall presently come to the circumstances in which the pay cut was restored and the considerations that applied to it. But it certainly cannot be argued that it was done so that in a certain year a certain cut which would have been imposed in the meantime could be restored more easily. Again, I say, this was done in a perfectly open manner, and, as a matter of fact, it was a change in the policy of stores balances upon which the Railway Department were congratulated by the Public Accounts Committee. That certainly was not only not underhand, or stealthy, but was the adjustment of something that had not been properly adjusted in past years.

Another matter which another Honourable Member referred to and which I might deal with here in passing is that the Department has been in the habit of setting up committees which cost a great deal of money and in the end amount to nothing at all. I think an Honourable Member—if I do not make a mistake, it was Seth Govind Das—mentioned the Pope Committee in that connection. He said the Pope Committee cost three lakhs, but had resulted only in a saving of seven lakhs. Even if it had resulted only in a saving of seven lakhs, it would not be fair to say that nothing had been saved, for, with an expenditure of three lakhs, there had been a saving of seven lakhs

Seth Govind Das: We do not know if even seven lakhs were saved or not.

The Honourable Sir Muhammad Zafrullah Khan: I am coming to that. The saving of seven lakhs was annual and recurring, while the cost of the committee was incurred only once. But the position fortunately is very much better than the Honourable Member thinks it was. During the course of the last year alone, the economies which have resulted from the recommendations of that committee have been valued at Rs. 47 lakhs. Though this is a small matter, I wanted to clear up the misapprehension that that committee's recommendations had not resulted in any appreciable saving as against the cost of setting it up.

Another matter, that I might clear out of the way before I pass on to more general matters, was the point sought to be made by the Honourable the Mover of this cut, that inasmuch as I had said in my speech that passenger traffic during the current year was slightly better than our estimate, the real competition from motor transport did not come in the matter of passengers, but in the matter of goods or rather that it was not so much motor competition that affected our earnings as a decline in our goods traffic. While it is true that the greater part of our losses is due to the decline in goods traffic, the position

Pandit Govind Ballabh Pant: Entirely and solely due to it.

The Honourable Sir Muhammad Zafrullah Khan: I shall presently show that the position with regard to passenger traffic is not what the Honourable Member has tried to make it out to be. What I said was that passenger traffic was slightly better than last year's and better than our estimates—not that we were not losing anything on passenger traffic as compared with our normal traffic, as the figures I am going to cite will show. In 1929-30

Pandit Govind Ballabh Pant: May I just explain? What I said was this: that the enlarged deficit this year was not due to any deficiency in income from passenger traffic, because the income from passenger traffic was in reality more than had been budgetted for or estimated. The deficit was due to a fall in receipts from goods traffic, and that is a fact which is borne out by paragraph 13 of the memorandum.

The Honourable Sir Muhammad Zafrullah Khan: All that is borne out by that paragraph is that if there had not been this slight increase in the passenger traffic during the current year our deficit would have been slightly larger. That is all that that paragraph bears out. I would again submit with respect, that it is not correct to say that no part of our deficit is due to the loss on our passenger traffic. I will now cite the figures. In 1929-30 our earnings from passenger traffic were 35½ crores. In 1934-35 they were 28 crores; and in 1935-36 we expect them to be 28½ crores, that is to say, half a crore better than last year, but, unfortunately, 7½ crores worse than the year 1929-30.

Now, Sir, I might offer a few observations on the more general criticisms and suggestions that have been put forward. It has been said that the situation is so desperate that nothing but very drastic remedies would set matters right, and that tinkering with the situation would not do. Well, Sir, taking these merely as general observations, I have not much quarrel with them, but the real question is, the remedies having been suggested, whether the adoption of those remedies is likely to lead to results that all sides of the House have at heart and so much desire, and to what extent those remedies can be regarded as practicable. Now, the main criticism put forward was why did we restore the cut in pay last year with our depleted finances, and the suggestion was that we should re-impose the cut if we want to balance the budget. Various estimates were put forward from 90 lakhs to one crore as the amount likely to be gained by this method. The second suggestion was that we must make drastic reduction in the salaries of our comparatively highly paid officials. Now, Sir, with regard to the question of the restoration of the cut last year, we must bear in mind the factors that were in operation at the time when the cut was restored. As I pointed out in my speech, my predecessor, when he presented the budget to this House, had every reason to hope, on the basis of the ten months' earnings which he had before him, that his budget would be made up to the extent to which it had been expected it would be made up. Up to the time that he presented his budget to this House, there had been an increase in the earnings of that particular year of 367 lakhs as compared with the previous year. The fall began immediately after. That was one factor. I do not say that that furnishes full justification for what happened, but that is one factor to be remembered.

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[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Dutta).]

Then we come to the second factor, namely, that the general finances were in a very much more prosperous condition than they had been when the cut had been originally imposed.

Mr. S. Satyamurti: Very much more prosperous?

The Honourable Sir Muhammad Zafrullah Khan: Yes, the general budget. It had been decided to restore the cut with regard to non-railway services, and the position that presented itself to Government was this. Was it feasible, after what was then hoped to be a turning of the corner with regard to railway finances, the central budget having been balanced, and having regard to the promise that the first relief that would come to anybody from a bettering of the finances would be to the people whose salaries had been subjected to this cut, when all other Government servants were going to have the cut restored, would it be feasible, would it be practicable, and would it be fair to deprive the railway servants alone of that benefit? Now, supposing it had been foreseen as to what the year's end would show, as to what the condition of railway finances would be during the following year, and supposing the railway budget were the only thing that the Government had to consider with regard to this cut, that there was not that embarrassing situation that a very much larger number of State employees would have the cut restored in their case and that railway servants would have to be considered in contradistinction to them, if they alone had to be considered, it is quite possible, that whoever was responsible for this decision would have considered that the time had not come for restoring the cut. Those were the circumstances under which the cut was restored. Now, the suggestion is, if you re-impose the cut it would bring in a saving of at least 90 lakhs. With regard to these and other suggestions which have been made on the floor of the House, during the course of the debate and which Honourable Members desire Government should consider,—I am sure they will not expect me here and now to announce Government's decisions,—I may place one or two factors before them which have struck me as rather significant. The re-imposition of the cut is an attractive enough proposal for the Railway Member because it would relieve him of say an appreciable portion of his deficit, apart from the 11 crores or so which some Honourable Members thought must be saved before railway finances could attain a sound position. Now, whoever has talked of the cut has made it clear that the cut should not be re-imposed upon salaries that are already very low. I cannot say whether any cut would or would not be re-imposed, but let me say at once that I myself have complete sympathy with the point of view that, where salaries are already very low, there certainly should not be any question of the re-imposition of the cut. ("Hear, hear" from Opposition Benches.) That being so, let us see what the effect of the suggestion would be. The total salaries bill is, I think, between 31 and 32 crores. Well, now, the salaries below a hundred rupees account for 22 crores of rupees, so that there is no relief to be expected in respect of this portion

of the salary bill, and I am sure nobody would regret that the cut in the case of this class of employee was restored. That leaves one with people drawing above a hundred rupees. Salaries between Rs. 101 to Rs. 500 account for $6\frac{3}{4}$ crores; salaries between Rs. 501 to Rs. 1,000 account for $1\frac{1}{4}$ crores, and salaries above that account for $1\frac{3}{4}$ crores, so that salaries of officers, assuming that officers' salaries started from Rs. 500, account for three crores altogether. Consequently, Honourable Members in making an estimate of the savings that might be effected by the re-imposition of a cut.

Mr. S. Satyamurti: Why not cut off 25 per cent. from top salaries?

The Honourable Sir Muhammad Zafrullah Khan: You can suggest any percentage you like.

Mr. S. Satyamurti: I did say, "a steep graduated cut on high salaries".

The Honourable Sir Muhammad Zafrullah Khan: All that I am trying to do is to place figures before the House so that Honourable Members may be quite clear with regard to the responsibility of the Government in this matter in imposing a cut in salaries. That is the position with regard to salaries.

Then, again, the question of a drastic reduction of salaries was raised. Again I may ask Honourable Members to bear in mind the figures that I have given when they make suggestions of that kind. Salaries above Rs. 500 total only three crores, and salaries above Rs. 1,000, which was the limit, I understand, two Honourable Members of this House, Dr. Banerjee and Mr. Satyamurti, had suggested in the Congress Committee, total only a crore and a quarter. I am not arguing one way or the other, but I am trying to show that the scope for economies to be effected in this direction by the adoption of either of the two methods suggested by several Honourable Members is far smaller than they appeared to imagine.

Mr. S. Satyamurti: You can make Rs. 50 lakhs at least.

Another Honourable Member: One crore he can make.

The Honourable Sir Muhammad Zafrullah Khan: While Honourable Members are on this question of the cut, at least with regard to salaries between Rs. 100 and Rs. 500, they might also remember that it would be rather unfair that people who have been recruited under new scales of pay should suffer both reductions, that is to say, new scales of pay as well as a cut imposed upon their salaries. That would mean another little reduction in the savings to be effected on this account. (Interruption.) I must submit to the House that if I am to complete the few remarks that I intend to make at this stage, I really cannot go on giving answers to cross-examination in between.

The other matter that was repeatedly stressed was a reduction in freights; that is to say, Government were told that if we find that one of the main causes of the reduction in our earnings is the fall in commodity

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prices, then the one thing to do in those circumstances would be to reduce our freights to the level that the commodities could bear rather than to increase the freights, or even to leave them unaltered, so that the ratio of the freight to the price of the commodity has become very much heavier than what it was before the fall in prices.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Sir, it is not that the Railway Board have not tried that experiment. After all, if this suggestion is being made to the Railway Department in the spirit, "Your policy with regard to these matters is wrong. If you had adopted the other policy, the commodities would have borne it much better, and you would have not only made up your losses, but would have earned a great deal more as the result of much greater traffic that you might have attracted by offering cheaper rates,"—if that is the spirit in which the advice is being offered, my reply is we have tried methods of that description. I shall give only three illustrations which are typical and which will show that reduction in freights has not resulted in stimulation of traffic. If it had resulted in any appreciable amount of stimulation,—I do not say there was no increase whatsoever, but if it had resulted in an appreciable amount of increase so that there had been no loss to the railway, that policy could have been carried further in that direction in the hope that further reduction might possibly bring greater earnings. But that, unfortunately, did not happen. Let me take one illustration with regard to passenger fares and two illustrations with regard to the freight on goods.

With regard to passenger fares, take the North-Western Railway, who have recently made an increase in their third-class passenger fares and who have come in for a good deal of criticism for the action that they have taken. Prior to 1st December, 1933, third class fares were:

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|---|-------------------|
| For the 1st 50 miles | 3½ pies per mile. |
| For the next 250 miles, that is to say, 51 to 300 miles | 3 pies per mile. |
| And from 301 miles and above | 2 pies per mile. |

On that date, that is to say, the 1st December, the following alterations were adopted as an experiment:

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| For the 1st 50 miles, a reduction from 3½ pies to 3 pies per mile. |
| From 51 to 300 miles, a reduction from 3 to 2½ pies per mile. |
| From 301 and over, an increase from 2 to 2½ pies per mile. |

So that, there was an increase beyond 300 miles, and there was a reduction up to 300 miles. The result was that the railway sustained a loss of five lakhs in the first year which has continued and has shown no signs of being made up. Recently, there have been increases, but the increases are such that an examination of the problem with which the North-Western Railway were confronted would show that they had to do something of the sort. Compared with the rates before 1st December.

1933, there is still that reduction in the first 50 miles. From 51 to 300 miles they have raised the fare from $2\frac{3}{4}$ pies back to 3 pies as it existed before the 1st December, 1933, and as regards 301 and over they have left it at $2\frac{1}{2}$ pies. I submit, therefore, that it cannot be said that the experiment of reducing the fares was not tried on the North-Western Railway, our biggest system in India. The experiment of reduction was tried with regard to third class passenger fares and that resulted in a loss of five lakhs a year, they were compelled to revise it, and in doing so, they have not touched the short distance traffic.

Pandit Govind Ballabh Pant: The volume of traffic increased by 12 per cent.

The Honourable Sir Muhammad Zafrullah Khan: Yes, but it was not such as to make up even the loss on reduction of fares, let alone give them any additional revenue. Even if it had nearly made up the loss, there would have been some justification for continuing it in the hope that later on there might be greater traffic to compensate for the loss. But the loss showed no sign of being less than five lakhs a year.

Next, let me take two commodities, wheat and coal. Wheat rates to Karachi were reduced in 1931 and 1932 from the Punjab in order to assist in finding an outlet for surplus wheat in the hope that thereby the export traffic through Karachi might be stimulated. No export traffic resulted. The only result was that it became cheaper, as the result of this reduction of rates by the North-Western Railway between the Punjab and Karachi, to carry wheat from the Punjab to Calcutta *via* Karachi, that is to say, by rail to Karachi and then by sea around to Calcutta, than it was to carry it by the all-rail route from the Punjab down to Calcutta. The net result of that reduction was that it did not stimulate export traffic; it not only did not increase the traffic, but actually reduced traffic *via* the East Indian Railway to Bengal, and the railways lost a considerable amount of traffic to the shipping companies. That was the result of the experiment with regard to wheat, and railways have not yet, even after a reduction of the freight over the East Indian Railway completely re-captured the traffic which they had lost to the shipping companies. With regard to coal, Honourable Members are aware that the coal surcharge was reduced only last year from 15 per cent. to $12\frac{1}{2}$ per cent. With regard to that, I have stated in my speech already, and the figures would also show, that during the first seven months of this year the railways have lost 11 lakhs. My submission is that these methods have been tried. It cannot be said that the Railway Board have been impervious to suggestions of this description, that they have not given them a fair trial and that they merely go on saying that any reduction of freights is bound to result in a loss without there being any data to support them. I would, therefore, submit, with regard to the first suggestion, that when put in this way, that by restoring the five per cent. cut last year you have caused a loss to the railways of 90 lakhs, if you re-impose the cut of five per cent. you would regain that amount, it no doubt appears to be an attractive suggestion, but when one compares the figures and examines the different scales of pay, one must come to the conclusion, having regard to the accepted principle, agreed to by all sides of the House, that if there is any question of re-imposing a cut, men getting less than Rs. 100 a month should not be subjected to

[Sir Muhammad Zafrullah Khan.]

it. very little scope is left for a cut of that description. In connection with that, there is one further factor which Honourable Members might remember. However attractive that proposal might appear even in this restricted form, it might be said, if you impose a cut of five per cent., even on the three crores which you pay to people getting Rs. 500 or above, or upon the Rs. 9 crores which you pay to people drawing a salary of Rs. 100 and above, even then, in the first case you are likely to get about 15 lakhs, and in the second case 45 lakhs, there is one important factor to be considered, and that is this. With regard to those categories of staff that are employed directly by the railways themselves, a cut may be imposed by a decision of the Government of India. With regard to categories of staff that have been employed by the Secretary of State, more particularly, people who belong to what used to be called the Imperial service, a cut cannot be imposed without a Statute of Parliament authorising the imposition of a cut.

Mr. S. Satyamurti: They will agree if you ask them.

The Honourable Sir Muhammad Zafrullah Khan: I am not saying they will, or will not agree, but it is a factor to be borne. With regard to the other suggestions that were made with regard to the numbers of the staff—that staff should be retrenched, apart from the question of drastic cut in salaries, one instance was given—that the Retrenchment Committee suggested a certain amount of retrenchment with regard to the personnel of the Railway Board itself and that nothing was done in that direction. As a matter of fact, the Retrenchment Committee suggested that the number of members of the Railway Board including the Chief Commissioner and the Financial Commissioner, should be reduced from five to four. Actually it was reduced from five to three, with the result that we find that Government were not wise in going further than what the Committee had suggested, and that there is a great deal of congestion of work in the Railway Board and the Board cannot really carry on with only three members, that is to say, the Chief Commissioner, the Financial Commissioner and one member. So that, with regard to the Retrenchment Committee also, it cannot be said that we have been indifferent to their suggestions. It has been said that the administration of the Railway Board is top-heavy. As I have said they have tried the experiment of carrying on with three-fifths of their original number. I am afraid the experiment has not been a success.

Then, Sir, certain other suggestions were made. I shall not touch on all of them. I shall conclude within a minute or two for, though I have several matters to refer to, I must conform to the restriction that has been laid down and I must not deprive Members of the chance of moving other cuts. Certain suggestions were made with regard to amalgamation to which I shall make no reference at this stage. I shall await my turn when the whole question is discussed on the cut which is going to be moved on that subject. With regard to over-capitalisation, I might only say this. As an Honourable Member suggested that when the suggestion was made from the European Group, I jumped at it. I neither jumped at it nor did I feel depressed at it. This is a question which will have to be considered. I do assure Honourable Members that Government have not made up their mind, even tentatively, as is sometimes suggested during question hour, over this matter. They have got to come

to some sort of decision with regard to the liability of the Railway Federal Authority that is to be set up under the Government of India Act. The Government of India Act itself has laid down the general principles upon which this valuation has to be made and when the question of the capital at charge comes to be settled with the Federal Railway Authority, Government will certainly pay attention to both points of view that have been put forward and if a layman like me might hazard an observation on a technical matter, I think there is a good deal to be said with regard to both points of view. I cannot say what principle would eventually be accepted but I have no doubt, whatsoever, that all that has been said in this connection will be kept in mind. As regards some of the other matters that have been referred to, I will have occasion to deal with them when the other cuts are moved. As regards the third class passengers, I have given sufficient indication already during the course of the debates on the Railway Budget that so far as that question is concerned, I am whole-heartedly with those Members who have suggested that the third class passenger should be made welcome on the railways and that there should not be any undue restrictions on him. With regard to the suggestion as to the electrification of the Calcutta Suburban Services, I might deal with it now, as I may not have an opportunity of referring to it on any other occasion. I might inform the Honourable Member who moved it—I think it was Sir Abdul Halim Ghuznavi—that I have a note here prepared by the Department in which the full figures are given. The Railway Board went into this question and they think that the scheme would require 14 crores to be put into practice. I am quite sure that Honourable Members will agree that this certainly is not the time to find 14 crores of rupees to electrify the suburban service for Calcutta, however desirable it might be for the residents of Calcutta.

These, Sir, are the observations that I have to offer on the main subjects of criticism. With regard to some of the speeches my impression was that Honourable Members wanted some of their suggestions considered but with regard to one or two speeches, the indication given was that if Government are not prepared to accept the suggestions that are put forward this cut would be treated as a censure motion on the Government. I want to make the position of the Government clear. With regard to some of the suggestions that have been made on which I have made observations and a good many of the suggestions on which I have not been able to comment, having regard to the limits of time, I might say that they are constructive suggestions out of which it might be possible for Government, after examination, to accept those that are practicable. As to some of them that have been described as the surgeon's knife, I am afraid Government are more likely to regard them as the executioner's blade rather than as the surgeon's knife, and while the surgeon's knife may on occasion be welcome, it will be realised that the other thing can never be welcome. Therefore, I would desire an indication from the Honourable the Leader of the Opposition as to the nature of this cut, because that would determine the attitude of Government when it is put to the House.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The Assembly divided.

AYES—62.

Aaron, Mr. Samuel
 Abdul Matin Chaudhury, Mr.
 Anqy, Mr. M. S.
 Asaf Ali, Mr. M.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Ba Si, U.
 Badi-uz-Zaman, Maulvi.
 Bajoria, Babu Baijnath
 Banerjee, Dr. P. N.
 Bhagavan Das, Dr.
 Chattopadhyaya, Mr. Amarendra
 Nath.
 Chettiar, Mr. T. S. Avinashilingam.
 Chuuder, Mr. N. C.
 Das, Mr. B.
 Das, Mr. Basanta Kumar.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Essak Sait, Mr. H. A. Sathar H.
 Gadgil, Mr. N. V.
 Gauba, Mr. K. L.
 Ghulam Blikh Narang, Syed.
 Govind Das, Seth.
 Hidayatallah, Sir Ghulam Hussain
 Hosmani, Mr. S. K.
 Jedhe, Mr. K. M.
 Jhangir, Sir Cowasji.
 Jogendra Singh, Sirdar
 Kailash Behari Lal, Babu
 Khan Sahib, Dr.
 Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Maitra, Pandit Lakshmi Kanta
 Mangal Singh, Sardar.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qazi.
 Muhammad Nauman, Mr.
 Murtuza Sahib Bahadur, Maulvi
 Syed.
 Nageswara Rao, Mr. K.
 Paliwal, Pandit Sri Krishna Dutta.
 Pant, Pandit Govind Ballabh.
 Parma Nand, Bhai.
 Raghubir Narayan Singh, Chou-
 dhri.
 Rajan, Dr. T. S. S.
 Raju, Mr. P. S. Kumaraswami.
 Ranga, Prof. N. G.
 Saksena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Satyamurti, Mr. S.
 Shaukat Ali, Maulana
 Sheodass Daga, Seth.
 Siddique Ali Khan, Khan Sahib
 Nawab.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Anugrah Narayan.
 Sinha, Mr. Satya Narayan.
 Som, Mr. Suryya Kumar.
 Sri Prakasa, Mr.
 Them Maung, Dr.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.

NOES—45.

Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Bakhsh Khan Tiwana, Khan
 Bahadur Nawab Malik.
 Aminuddin, Mr. Saiyid.
 Anwar-ul-Azim, Mr. Muhammad.
 Ayyar, Diwan Bahadur R. V.
 Krishna.
 Ayyar, Rao Bahadur A. A.
 Venkatarama.
 Bajpai, Sir Girja Shankar.
 Buss, Mr. L. C.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Das-Gupta, Mr. S. K.
 Dash, Mr. A. J.
 D'Souza, Mr. F.
 Fazl-i-Haq Piracha, Khan Bahadur
 Shaikh.
 Gajapatiraj, Maharaj Kumar Vijaya
 Ananda.
 Ghuznavi, Sir Abdul Halim.
 Grigg, The Honourable Sir James.
 Grigson, Mr. W. V.
 Hudson, Sir Leslie.
 Hutton, Dr. J. H.
 James, Mr. F. E.
 Jenkins, Mr. E. M.

Khurshaid Muhammad, Khan Bahadur
 Shaikh.
 Lloyd, Mr. A. H.
 MacDongall, Mr. R. M.
 Mehr Shah, Nawab Sahibzada Sir
 Sayad Muhammad.
 Metcalfe, Sir Aubrey.
 Mulligan, Mr. J. A.
 Morgan, Mr. G.
 Mukherjee, Rai Bahadur Sir Satya
 Charan.
 Noyce, The Honourable Sir Frank.
 Rajah, Raja Sir Vasudeva.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. P. R.
 Sale, Mr. J. E.
 Sher Muhammad Khan, Captain
 Sardar.
 Singh, Rai Bahadur Shyam Narayan.
 Sircar, The Honourable Sir
 Nripendra.
 Spence, Mr. G. H.
 Tottenham, Mr. G. R. F.
 Tylden-Pattenson, Mr. A. E.
 Witherington, Mr. C. H.
 Yamin Khan, Sir Muhammad.
 Zafrullah Khan, The Honourable Sir
 Muhammad.

*The motion was adopted.

Stores Purchase Policy.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I move:

"That the demand under the head 'Railway Board' be reduced by Rupees one thousand."

Sir, I particularly draw the attention of the House in this cut to the policy of stores purchase. Sir, railways are a national industry, and this subject of stores purchase is as much important for the building up of the nation as the policy in regard to rates and freights. Besides this purchase policy has an element of swadeshi in it which is recognised to be the main element of our national reconstruction, perhaps by all sides of the House and also by people outside. I must here admit that Government in their statements and rules and various other published literature have in words and phrases admitted the necessity of directing this policy of stores purchase towards swadeshi and towards the purchase of articles of Indian make. But I am afraid that there is somewhere something wrong so that in spite of these rules and circulars and these assurances in this House and outside the purchases are being attempted to be diverted from India to foreign countries. Sir, there is not much time for me to go into the history of this policy of purchase. I may just refresh the memory of the House in one word, that is, that at a time when the unemployment problem was growing strong in England this policy was deliberately adopted in order to give occupation to British industry. 150 crores were borrowed even for this railway and Sir Charles Innes, the then Commerce Member, declared at the Imperial Economic Conference of 1923, that India could help the home industry by taking new projects of development in hand. It is only to refresh the memory of the House that I refer to this. Even now we find the remnants of that policy, in our huge stores balances. It was in those days that huge stores were purchased and articles which could not be used were wasted. Since then the demand was made time after time that purchases should be made in India and over and above that our industries gradually became protected by the State. Now, some definite steps for purchase of stores in India was urgently called for. I find in the rules published that there are certain articles, particularly I draw the attention of the House to the articles which are mentioned in the book presented to the Railway Standing Finance Committee Vol. 12. No. 6, page 96, paragraph 3, item No. 1: purchase of rails, fishplates, sleepers, locomotives, under-frames, etc.—the purchase of these articles is controlled by the Railway Board. I particularly think of those items that come under permanent way. All these items could be completely found in India and at competition and even favourable price. Unfortunately, for the last two or three years, the purchases of these particular articles are being gradually diverted out of India and Indian interest and there is not a word of explanation in the Railway Board's Report. So far as I can see all these articles can be obtained entirely in India, with the Tatas and other companies. I shall presently come to examine these articles in detail. But before referring to these details, let me point to a grave difficulty in the way of our purchase. This difficulty ought to be removed at once, if real *swadeshi* in purchase is to be achieved.

This House, year after year, has been demanding the establishment of a central institution or organisation for the purchase of stores for the railways. This has never been seriously attempted. Now, some articles are being purchased by the Railway Board themselves. Some are purchased by the Agents of the various railways. Even the Agents of State

[Pandit Nilakantha Das.]

Railways are allowed to purchase their stores directly, if they like. The Company-managed railways all make their purchases practically just as they desire. In spite of the incessant demand of the House for centralized purchase, nothing has been done except mere formal consultations and conferences with people like agents for organising purchase. The Honourable the Railway Member is more or less in his advisory capacity in these consultations. I do not understand the meaning of this arrangement. It really means little. For in spite of all this even articles which are obtainable in India are being purchased from abroad—let alone giving incentive to further production.

Then, there is the question of the Indian Stores Purchase Department. Some people may perhaps think that this Indian Stores Department is a central institution for purchase of all the articles required by Government. But it is not so. Departments like Railways have only the option to place orders through the Indian Stores Department with their own specific instruction, which, as I shall presently illustrate in some items of startling detail, goes against Indians and Indian interest. In the Railway Administration Report, however, we find that the railways are gradually purchasing such and such a percentage of articles through the Indian Stores Department. But neither are the Railways bound to purchase their articles through this Stores Department nor is there anything to make the Indian Stores Department purchase all the articles in India alone. Formerly the Indian Stores Department were purchasing the articles in India and the Stores Department in London under the High Commissioner was purchasing the articles from abroad. Generally it was so. But now under the new rules of 1929, the Stores Department can purchase the articles from here as well as from abroad on a rupee tender, which they are actually doing. If we peruse the Administration Report we find the percentages of purchase through the Indian Stores Department. But it does not indicate that so much was purchased in the Indian market. So if that department were to purchase anything, there should be a definite record as to what percentage of articles and what articles were purchased in India, *i.e.*, of Indian make, and what percentage of articles and what articles from abroad. We have no means of knowing this. I once asked for some report as to the items purchased, by Railways through the Indian Stores Department. I got a list. But I could not find out in that list as to whether a particular article was either made in India or abroad.

Then, I must refer to one other thing, standardisation. On the face of it, it is very good; all articles should be standardised and there should be simplicity, and economy in purchase as well as in use of the articles. But it must be remembered that this is an item which was discussed in the Imperial Economic Conference, and there we find that one of its objects was to interchange standards in the Empire countries, so that those articles which are being standardised may be purchased here or in any other Empire country, particularly England. I do not know how far that is responsible for diverting these purchases even in articles which are found in India.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better continue his speech tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 25th February, 1936.

LEGISLATIVE ASSEMBLY.

Tuesday, 25th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE VICEREGAL ESTATE.

775. ***Mr. Sham Lal:** Are Government prepared to place a copy of the original charges brought by Mr. Gulzara Singh against the whole Viceregal Staff and appoint an impartial enquiry committee to investigate the whole affair?

The Honourable Sir Frank Noyce: No.

Mr. Sham Lal: Why not, Sir?

The Honourable Sir Frank Noyce: One of the reasons, amongst others, is that Mr. Gulzara Singh himself asked that the so-called charges should be kept strictly confidential.

Mr. S. Satyamurti: Have Government considered every charge except the one mentioned, and have they come to the conclusion that the charges are so trivial or unsubstantiated by any kind of evidence that it will serve no public interest to publish them?

The Honourable Sir Frank Noyce: My Honourable friend has stated the position correctly. I have seen the representation myself, and he has given a very accurate description of it.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE VICEREGAL ESTATE.

776. ***Mr. Sham Lal:** (a) Is it not a fact that Mr. Gulzara Singh was transferred to Bombay Government on a short notice of three days?

(b) Is it not a fact that the head of the department wanted to dismiss him, as he was considered to be a dangerous man but the Government of India did not agree to his dismissal?

The Honourable Sir Frank Noyce: (a) No. Mr. Gulzara Singh was transferred to the Bombay Central Division which is part of the Central

Public Works Department. He was given the usual joining time allowed by the rules.

(b) The reply is in the negative.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE
VICEREGAL ESTATE.

777. *Mr. Sham Lal: (a) Is it not a fact that the material used in the house of the Private Secretary to His Excellency the Viceroy was of the third degree?

(b) What are the Chief Engineer's remarks about the construction?

(c) Is it not a fact that about Rs. 8,000 were spent over and above the budget sanctioned by the Standing Finance Committee?

(d) What is the explanation for this expenditure?

(e) What action have Government taken against the Supervisor for these over-payments?

(f) Why was not the name of the contractor who constructed the Private Secretary to His Excellency the Viceroy's house put in the black list and why has an appointment letter been conferred upon him?

(g) Are Government prepared to appoint an enquiry committee with regard to the construction of Private Secretary to His Excellency the Viceroy's House and submit its report to this House?

(h) Do Government propose to consider the advisability of amalgamating the division with the Central Public Works Department and set up an enquiry committee to punish the guilty persons?

The Honourable Sir Frank Noyce: (a) and (b). No. The Chief Engineer, during inspection, pointed out some defective work which the contractor was ordered to make good.

(c) and (d). There is an excess which may amount to about Rs. 8,000 over the estimate given to the Standing Finance Committee. I cannot state the exact amount as the accounts are not yet closed. The excess is due to alterations in the design of the house.

(e) and (f). Do not arise.

(g) No.

(h) The question of amalgamating the works staff employed in the Viceregal Estates with the Central Public Works Department is already being considered on administrative grounds. Government do not propose to appoint an enquiry committee.

EMBEZZLEMENT IN THE PUBLIC WORKS DEPARTMENT OFFICE OF THE
VICEREGAL ESTATE.

778. *Mr. Sham Lal: (a) Is it not a fact that the work done in the construction of the new Private Secretary's bungalow is of the third degree?

(b) What are the remarks of the Chief Engineer and the Superintending Engineer about the construction?

(c) Who is responsible for all this loss to Government, and have Government taken any action against the guilty officers?

The Honourable Sir Frank Noyce: The attention of the Honourable Member is invited to the reply just given to his question No. 777.

CHARGES FOR MONTHLY TICKETS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

779. *Mr. Sham Lal: (a) Is it a fact that the Bombay, Baroda and Central India Railway (metre gauge) charges 14 days' fare for the monthly season ticket while other Railways, like the North Western Railway, East Indian Railway, charge 12 days' fare only?

(b) Is it a fact that the Bombay, Baroda and Central India Railway charges only seven days' fare for the monthly tickets in Bombay Presidency, and if so, why does it not do so in the Delhi Province and elsewhere?

The Honourable Sir Muhammad Zafrullah Khan: (a) On the Bombay, Baroda and Central India Railway, the charge for monthly season tickets, outside the Bombay local suburban section, is 28 single journey fares; on the North Western Railway, the charge is 24 single journey fares and on the East Indian Railway there is a telescopic scale which varies from 15 to 28 single journey fares according to distances.

(b) Except on the Bombay local suburban section where the charges for season tickets are calculated at a special telescopic scale which varies from 12 to 28 single journey fares according to distances, there is no difference in the charges throughout the entire Bombay, Baroda and Central India Railway system.

CONSTRUCTION PROJECTS CARRIED OUT BY THE CONSTRUCTION CIRCLE, CENTRAL PUBLIC WORKS DEPARTMENT.

780. *Mr. Sham Lal: (a) Will Government please state the total value of construction projects carried out by the Construction Circle, Central Public Works Department, New Delhi, from the time of its coming into existence in 1933 up to date?

(b) Are tenders invited for all works?

(c) Are contractors classified by the Central Public Works Department into first, second and third class? If so, what is the basis of this classification?

(d) Are contractors, holding nationalistic views, directly or indirectly discouraged or are overlooked even when they tender lowest?

The Honourable Sir Frank Noyce: (a) Rs. 1,17,14,399.

(b) Yes.

- (c) Yes. In classifying contractors their experience, financial standing, and ability to carry out work rapidly and efficiently are considered.
- (d) No.

CONTRACTS FOR THE CONSTRUCTION OF IRWIN HOSPITAL, NEW DELHI.

781. *Mr. Sham Lal: Will Government please state :

- (a) the lowest amount tendered for the construction of Irwin Hospital, New Delhi;
- (b) the amount tendered and the name of the contractor who carried out the work;
- (c) the names and class of contractors (if any) whose quotations for the same work were between the amounts referred to in parts (a) and (b) above;
- (d) the lowest amount tendered for the construction of the Pusa Agricultural Research Institute (non-residential section);
- (e) the amount tendered and the name of the contractor who is carrying out the work;
- (f) the names and class of contractors whose quotations for the same work were between the amounts referred to in parts (d) and (e) above, if any;
- (g) the lowest amount tendered for the construction of 'D' type clerks' quarters built in the City Extension area during 1935.
- (h) the amount tendered and the name of the contractor who carried out the work;
- (i) the names and class of contractors whose quotations for the same work were between the amounts referred to in part (g) and (h) above, if any?
- (j) whether the attention of the Auditor General or the Accountant General, Central Revenues, has been drawn to these matters;
- (k) whether sometimes, contrary to regulations published, tenders are not opened in the presence of the tendering contractors, but are sent to the house of the Superintending Engineer, Construction Circle, and opened there; if so, whether they are aware that this affords an opportunity for figures being altered, and
- (l) whether they will place all the tenders referred to above, in original, before the Auditor General or the Accountant General, Central Revenues, for scrutiny and place the latter's report thereon before this House?

The Honourable Sir Frank Noyce: (a) to (i). A statement giving the information asked for is laid on the table.

(j) No. Tenders and the orders passed upon them are open to inspection by Audit, and are frequently inspected.

(k) No. The second part of the question does not arise.

(l) It is not proposed to take the action suggested by the Honourable Member.

Statement showing in respect of certain works, the lowest amounts tendered, the amount of the accepted tender and the names and class of contractors, if any, whose quotations for the same works were between the lowest and the accepted tender.

| Name of Project. | Lowest amount tendered. | Amount of accepted tender and the name of the contractor. | Names and class of contractors, if any, whose quotations were between the lowest and the accepted tender. | Remarks. |
|---|-------------------------|---|---|--|
| Rs. | | | | |
| (1) <i>Irwin Hospital</i> . . . | 8,68,501 | Rs. 9,65,261 S. S. Ranjit Singh | Rs. 9,58,523 S. Sewa Singh Gill, Class I. | Only selected tenders were evaluated. |
| (2) <i>Pusa Agricultural Research Institute (residential and non-residential sections).</i> | 15,44,976 | Rs. 15,56,942 R. B. Seth Lachman Das. | | The non-residential section was not separately considered. |
| (3) <i>'D' Type quarters built during 1935 in City Extension Area.</i> | 4,54,400 | Rs. 4,72,000 S. S. Ranjit Singh | Rs. 4,64,000 R. B. Seth Lachman Das, Class I. | |

Mr. S. Satyamurti: Was the lowest tender accepted in this case?

The Honourable Sir Frank Noyce: My Honourable friend will find it stated in the statement I am laying on the table.

Mr. S. Satyamurti: May I know the reasons why the lowest tender was not accepted?

The Honourable Sir Frank Noyce: The reasons were, I understand, that the lowest tenders were made by contractors whom the Chief Engineer, for good and sufficient reasons, did not think capable of carrying out a large work of this kind.

Mr. S. Satyamurti: What was the difference in value between the lowest tender, and the tender which was actually accepted?

The Honourable Sir Frank Noyce: That my Honourable friend will find in the statement I am laying on the table. The lowest amount tendered was Rs. 8,68,501, and the amount of the tender accepted was Rs. 9,65,261.

Seth Govind Das: Is the tender which was accepted of any European firm?

The Honourable Sir Frank Noyce: No, there were, I understand, two tenders by European firms. The tender next above the accepted one was by a European firm. The accepted tender, as my Honourable friend will see from the statement I am laying on the table, was from Sardar Sahib Ranjit Singh.

Mr. S. Satyamurti: Have Government considered, or will they consider, whether in this case the authority accepting the tender was justified in saddling the tax-payer with an extra amount, I believe of a lakh of rupees?

The Honourable Sir Frank Noyce: Yes, I have considered that very carefully. I consider that the reasons given by the Chief Engineer for not accepting the lowest tender were justified.

Mr. M. Asaf Ali: Is it not a fact that the contractor who offered the lowest tender in this particular case was given another contract of an equally big magnitude by the Government?

The Honourable Sir Frank Noyce: I should require notice of that question. I should think it extremely doubtful.

Mr. M. Asaf Ali: Is it not a fact that the contractor whose tender for the Irwin Hospital was rejected was given the contract for the construction of the Pusa Institute?

The Honourable Sir Frank Noyce: I shall require notice of that question.

Mr. M. Asaf Ali: Is it not a fact, Sir, that certain fraudulent dealings have been discovered in connection with the bills for payment which were sent up by the contractor to the Irwin Hospital? Has any enquiry been made into these fraudulent dealings?

The Honourable Sir Frank Noyce: It is a fact that the Auditor General brought to notice certain irregularities in regard to this contract and that an enquiry has been held into the matter.

Sir Muhammad Yakub: Is it not a fact that the contractor for the Irwin Hospital is a Sikh, who has the monopoly of almost all contracts in New Delhi?

The Honourable Sir Frank Noyce: It is a fact that he is a Sikh. As regards his monopoly, I doubt if my Honourable friend's statement is correct.

Sir Muhammad Yakub: Will the Honourable Member make an enquiry into the matter and find out if the Sikh contractors have not a monopoly of almost all the contracting business in New Delhi?

Mr. Sham Lal: Is it not a fact that, out of 23 tenders, only 11 were considered and 12 were dropped?

The Honourable Sir Frank Noyce: Yes, Sir, 11 tenders were evaluated.

Mr. Sham Lal: Why were 12 tenders not considered?

The Honourable Sir Frank Noyce: For various reasons: some because the rates were too high, some because the contractors were not sufficiently experienced, and some because the contractors had neither sufficient experience nor financial standing to carry out a work of this kind.

Mr. Sham Lal: Is it not a fact that these twelve tenders were tendered by first class contractors?

The Honourable Sir Frank Noyce: I should require notice of that question. A man may be a first class contractor and such work as he is able to do may be excellent, but at the same time he may not be able to carry out big works.

Mr. Mohan Lal Saksena: What is the definition of a first class contractor?

Mr. President (The Honourable Sir Abdur Rahim): Mr. Sham Lal, next question.

SUPERSESSION OF A SENIOR INDIAN EXECUTIVE ENGINEER BY A EUROPEAN EXECUTIVE ENGINEER.

782. ***Mr. Sham Lal:** (a) Is it a fact that European officers are given undue preference over Indians in the matter of promotion to higher posts in the Central Public Works Department?

(b) Has a European Executive Engineer been recently made to supersede a much senior Indian Executive Engineer?

The Honourable Sir Frank Noyce: (a) No.

(b) In a recent disciplinary case, an Executive Engineer, who happened to be an Indian, was reverted from the charge of a Circle. As a consequence, an officer, junior to him, who happens to be a European, is now officiating in charge of a Circle.

Mr. Lalchand Navalrai: Why was he superseded?

The Honourable Sir Frank Noyce: I said that in a recent disciplinary case the Executive Engineer who happened to be an Indian was reverted from the charge of a Circle.

Mr. Lalchand Navalrai: Was any inquiry made or was it only on an allegation that it was done?

The Honourable Sir Frank Noyce: Of course an inquiry was made: and if it is of any interest to the Honourable Member, I may say that the officer in question has applied to the Government of India for reconsideration and that I have referred his case to the Public Service Commission for their advice.

PENSION OR GRATUITY APPLICABLE TO "C" CLASS WORKERS OF THE MATHEMATICAL INSTRUMENTS OFFICE.

783. ***Mr. D. K. Lahiri Chaudhury:** (a) Will Government be pleased to state whether any pension or gratuity is applicable to "C" class workers of the Mathematical Instrument Office?

(b) If the answer to part (a) be in the negative, will Government be pleased to state under what rule this exception is made?

(c) Are Government prepared to consider the cases of "C" class permanent workers and grant them the benefit of gratuity and pension? If not, why not?

Sir Girja Shankar Bajpai: (a) No.

(b) Under the conditions of their service.

(c) Government is not prepared to grant pension or gratuity to Class "C" men save in exceptional circumstances. The conditions of service in the Mathematical Instrument Office are suited to its special requirements and have worked satisfactorily in the past.

Mr. D. K. Lahiri Chaudhury: May I ask why this differential treatment has been made in the case of class "C" workers?

Sir Girja Shankar Bajpai: We do not admit that it is differential treatment. Whatever is done is done in the interests of economy.

DIFFERENTIAL TREATMENT OF THE DIFFERENT CLASSES OF THE MATHEMATICAL INSTRUMENT OFFICE.

784. *Mr. D. K. Lahiri Chaudhury: (a) Will Government be pleased to state the reasons as to the different treatment between "A" and "B" classes and foreman classes of the Mathematical Instrument Office? Is it a fact that "A" and "B" class men do the same kind of work as the foremen?

(b) Will Government be pleased to state the reasons why "E" class workers are not made permanent after putting in service for 20 or 25 years?

(c) Will Government be pleased to state whether there are any definite rules of qualifications by which "C" class workers are promoted to "B" class? If not, why not?

Sir Girja Shankar Bajpai: (a) The work of "A" and "B" class men is less responsible than that of Foremen.

(b) "E" class men are recruited on a purely temporary basis. They are, however, eligible for promotion to grades that are permanent by selection.

(c) The only definite rule regarding promotions of "C" class men to "B" class is that a man must be under 30 years of age. Promotions depend on qualifications and health; quick and good work as well as general conduct and regular attendance are taken into consideration before a man is promoted.

TENDERS IN THE CALCUTTA PORT TRUST.

785. *Mr. Amarendra Nath Chattopadhyaya: (a) Will Government be pleased to lay on the table a statement showing, since Mr. Elderton became the Chairman of the Calcutta Port Trust:

(i) the total number of contracts, the cost of each one of which exceeded two thousand rupees, the Port Trust authorities have entered into for execution;

(ii) the number of such contracts that has gone to Indians;

(iii) the number that has gone to non-Indians; and

(iv) the sum total of the money that has been paid to the Indians and non-Indians, respectively, for the contracts?

(b) Do the Port Trust authorities, as a rule, always invite tenders by notification for the information of the interested public in the columns of the *Indian Trade Journal*, the *Amrita Bazar Patrika*, the *Advance*, the *Forward* and the *Statesman*?

The Honourable Sir Muhammad Zafrullah Khan: (a) The information is not readily available and cannot be obtained without an expenditure of time and labour which would be entirely incommensurate with the value of the results likely to be achieved.

(b) Tenders are invited by advertisement in the *Indian Trade Journal*, the *Statesman* and the *Exchange Gazette* for annual supplies of stores including coal. When materials are required from time to time, by the Engineering Department for works, invitations to tender are issued direct to all contractors on the Commissioners' list and the requirements are also advertised in the *Indian Trade Journal*.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member not in a position to tell us the contracts that have been given to Indian and non-Indian companies?

The Honourable Sir Muhammad Zafrullah Khan: I could not undertake to do so; but if the Honourable Member will put down a question and it is possible to obtain the information without an undue expenditure of time and labour, I shall try to collect it.

Mr. T. S. Avinashilingam Chettiar: In view of the suggestion made in this question, will Government advise the Port Trust to give more contracts in future to Indian contractors?

The Honourable Sir Muhammad Zafrullah Khan: I do not know on what that suggestion is based, because I have not got any information here and I cannot say whether the Port Trust are not already doing it.

Mr. T. S. Avinashilingam Chettiar: Will the Honourable Member go into the question?

The Honourable Sir Muhammad Zafrullah Khan: I will go into the question if a question is put down, and I can get the information and see that nothing unfair is being done.

Pandit Lakshmi Kanta Maitra: With regard to part (b), does the Honourable Member know that it is the vernacular papers which have the widest circulation in this country and that advertisements should have been passed on to them for circulation?

The Honourable Sir Muhammad Zafrullah Khan: I cannot pronounce an opinion on that

Pandit Lakshmi Kanta Maitra: Does not the Honourable Member know that in Bengal there are papers like the *Amrita Bazar Patrika*, the *Advance* and the *Ananda Bazar Patrika*, which have the widest circulation in the country, and that, if all these advertisements are given there, it would attract a larger number of people than if given only in these *Indian Trade Journal* and other papers?

The Honourable Sir Muhammad Zafrullah Khan: I did not say with regard to the first part of the question that there were no such papers. I have no reason to think that advertisements which are put into the journals that are mentioned and which are communicated to the contractors do not get to the class of persons who are likely to tender for these contracts.

Pandit Lakshmi Kanta Maitra: Is it not the policy of the Government to see that the widest publicity is given to these notices?

The Honourable Sir Muhammad Zafrullah Khan: Publicity in the sense that it reaches the class of persons for whom these advertisements are intended.

WORK EXECUTED AND MATERIALS SUPPLIED TO THE CALCUTTA PORT TRUST
BY MESSRS. BIRD AND COMPANY.

786. *Mr. Amarendra Nath Chattopadhyaya: (a) Will Government be pleased to state the amount of money that has been paid to Messrs. Bird & Co., during the last fifteen years in consideration of the work executed and the materials supplied to the Port Trust?

(b) Is it a fact that at their 2115th meeting of the Commissioners for the Port of Calcutta, a resolution on the basis of a "Note" submitted by Mr. Elderton approving the continuance of Messrs. Bird & Company as labour contractors was carried, with Mr. G. L. Melita (Indian Chamber of Commerce), Mr. A. V. Venables (Agent, East Indian Railway), and Mr. B. R. Singh (Agent, Eastern Bengal Railway) dissenting?

(c) Is it a fact that Mr. Elderton in his "Note" had to admit that if tenders were invited, there would be parties quoting cheaper rates than Messrs. Bird & Company?

(d) Is it a fact that Mr. Elderton, while recommending the case of Messrs. Bird & Company, made out that other contractors:

(i) will not be able to execute the work efficiently, requiring the employment of additional staff by the Commissioners for the supervision of the work; and

(ii) will not be able to keep a permanent and contented labour force?

(e) Will Government be pleased to lay on the table copies of Mr. Elderton's "Note" and the contract with Messrs. Bird & Company for the supply of labour?

(f) Are Government aware that the labour employed by the stevedores at the Port of Calcutta is as efficient and skilful, if not more so, in handling cargo of all varieties at the Port as Messrs. Bird & Co.'s labourers are?

(g) Are Government aware of the fact that at times the discontented and oppressed labourers fight for and exert their right?

(h) Are Government prepared to bring home to the Calcutta Port Trust authorities the lesson of the recent strike of the stevedores' labourers at the Port of Calcutta?

(i) Is it a fact that the Accountant General, Bengal, urged the Port Trust authorities, from the audit stand-point to invite tenders for the labour contracts?

(j) If the answer to part (i) be in the affirmative, why did not the authorities accept the principle laid down by the Accountant General, Bengal? Can an audit objection raised by the Accountant General, Bengal, be set at naught by the Port Trust authorities?

(k) Are Government prepared to consider the necessity of directing the Calcutta Port Trust authorities to cancel their contract with Messrs. Bird & Co. for the supply of labour and to invite tenders for the same? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for is being obtained and will be laid on the table when received.

Seth Govind Das: Is it a fact that Messrs. Bird and Co. are patronised by the Port Trust?

The Honourable Sir Muhammad Zafrullah Khan: I am not so aware.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to say whether it is not a fact that Messrs Bird and Co. enjoy practically a monopoly of all contracts in the Port Trust of Calcutta?

The Honourable Sir Muhammad Zafrullah Khan: I believe the original question is designed to elicit information on that point, and I have said I am collecting information and shall lay the information when received on the table of the House.

DISCONTINUANCE OF THE FERRY SERVICE BY THE CALCUTTA PORT TRUST.

787. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government be pleased to state whether it is a fact that towards the end of the year 1934, the Commissioners for the Port of Calcutta discontinued their Ferry Service?

(b) If the answer to part (a) be in the affirmative, is it a fact that they have allowed the use of their Ferry Stations by one of the inland steamship companies under non-Indian management and have given them the power to maintain the Service?

(c) If the answer to part (b) be in the affirmative, what is the amount that the Commissioners will receive from the company for the right passed on to them?

(d) Did the Commissioners invite tenders by notification in the public press before passing on the right of using the Ferry Stations and running the Service? If not, why not, and what made them to think that there were no parties who would have quoted terms more attractive for the Commissioners?

(e) Is this also a fact that the Commissioners have sold some of their Ferry Steamers to the India General Navigation & Railway Co. Ltd., which too happens to be a non-Indian concern?

(f) If the answer to part (e) be in the affirmative, what was the original cost of the steamers, and for what price have they been sold?

(g) Did the Commissioners before selling the steamers ask, through notification in the public press, for quotations? If not, why not, and what made them to think that the sale was effected to their best advantage?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The Calcutta Steam Navigation Company have been allowed to use the Commissioners' pontoons since the 5th November, 1934. No right to maintain a ferry service can be given by the Commissioners.

(c) The Company pay Rs. 1,200 per mensem to the Commissioners for the use of their pontoons.

(d) No; but enquiries were made of seven companies who, it was thought, might be interested and offers for the use of the Commissioners' pontoons were received from four. The offer received from the Calcutta Steam Navigation Company was the highest. The Commissioners passed on no right to run the service.

(e) Yes.

(f) The original cost of the steamers was Rs. 10,52,217, and they were sold for a sum of Rs. 1,20,000. Of the five steamers which were sold three had been in service for nearly 25 years.

(g) No; but it is understood that all parties likely to purchase were advised and offers were received from seven. The offer received from the India General Navigation and Railway Company was the highest.

Pandit Lakshmi Kanta Maitra: Did the Honourable Member care to inquire whether any real or sincere attempt was made by these Port Trust authorities to see if this stock could be sold at higher rates?

The Honourable Sir Muhammad Zafrullah Khan: I am satisfied that they made every possible effort to interest companies and firms who were likely to make any offers.

Pandit Lakshmi Kanta Maitra: Does the Honourable Member know that there are certain Indian Steam Navigation Companies also that should have been consulted in the matter of the sale of these things?

The Honourable Sir Muhammad Zafrullah Khan: I have said nothing from which the Honourable Member could infer that Indian companies were not communicated with in this connection.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to tell us which are the companies which had been consulted in the matter of sale? Will the Honourable Member lay a statement on the table?

The Honourable Sir Muhammad Zafrullah Khan: Can I read it out? It is a small statement—seven in each case. In the first Mr. M. D. Ghosh, Calcutta, Rai Chatrapati Singh Bahadur, Mymensingh, Ghatal Steam Navigation Company, Howrah, Calcutta Steam Navigation Company, Calcutta, Eastern Flotilla Company, Calcutta, Indo-Swiss Trading Company, Calcutta, Bengal River Service Company, Calcutta. In the second case, Mr. D. Ghosh, Calcutta, Rai Chatrapati Singh Bahadur, Mymensingh, Messrs. Clifford Grenon, Calcutta, Mr. K. L. Poddar, Calcutta, Mr. J. N. Mukherjee, Calcutta, Messrs. Kilburn and Co., the Agents of the India General Navigation and Railway Company, Calcutta, and the Bengal River Service Company.

Pandit Lakshmi Kanta Maitra: Was the offer of the India General Navigation and Railway Company the highest?

The Honourable Sir Muhammad Zafrullah Khan: So far as part (g) is concerned, yes.

UNIFORM INTERPRETATION AND APPLICATION ON ALL STATE RAILWAYS OF THE RULES FRAMED BY THE RAILWAY BOARD.

788. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state, whether the rules framed by the Railway Board and communicated to the different State Railways have uniform interpretation and application?

(b) If the answer to part (a) be in the affirmative, will Government please state the original idea of Government about the rules communicated in Railway Board's letter No. 807-E. G.-II of the 31st August, 1934, as published in the East Indian Railway Gazette of September 1934?

(c) What do the words 'old scale', mentioned in the Railway Board letter referred to above signify? Do they mean the scale from which the employee was retrenched, or the scale which was in force just before the introduction of 1934 orders, a scale for new entrants?

(d) Are Government aware that none of the State Railways introduced any scale during 1928 or 1931 and the East Indian Railway only introduced certain lower scales during 1928, as amended in 1931 known as co-ordinated scales?

(e) If the answer to the latter part of part (c) be in the affirmative, are Government aware that it will bring hardship to the East Indian Railway employees and undue preference will be shown to other State Railway employees?

(f) Are Government prepared to consider the question of removing such differential treatment either by issuing a correction slip to the effect that 'old scale' means the scales "from which the employee was retrenched", or total abolition of the co-ordinated scales of 1928, as amended in 1931, from the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I would invite the Honourable Member's attention to Mr. Rau's reply to Mr. Fakir Chand's starred question No. 489 asked on the floor of this House on the 23rd February, 1935.

(c), (e) and (f). I have called for certain information and will lay a reply on the table of the House in due course.

(d) The information which is readily available is that in 1928 the East Indian Railway introduced certain scales for subordinates.

APPLICATION OF THE NEW LEAVE RULES TO THE RETRENCHED EMPLOYEES ON THE EAST INDIAN RAILWAY.

789. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state the justification for bringing the retrenched employees on East Indian Railway under the new leave rules, as communicated in the Railway Board's letter No. 35-L. E.-84, of the 8th July, 1935?

(b) Is it not a fact that when financial crisis arose in the Railway Department, the subordinate employees co-operated most loyally and faithfully with the Government?

(c) Are Government prepared to restore them to their pre-retrenched position?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). New Leave Rules are applicable to all employees who have been recruited after the 1st April, 1930. In accordance with the orders issued by the Railway Board in their letter No. 1635-E.G., dated the 30th December, 1932—a copy of which is in the Library of the House—a re-employed person is subject, except in certain matters specially provided for therein, to such conditions of service as would be applicable to him if he had entered

railway service for the first time on the date of re-employment. The question whether re-employed personnel should be allowed the leave rules applicable to them at the time of their retrenchment has been carefully considered and Government do not see any justification for allowing them to continue on the old leave rules.

(b) Yes.

SAVING ON THE EAST INDIAN AND OTHER STATE RAILWAYS DURING THE RETRENCHMENT CAMPAIGN.

790. ***Mr. Amarendra Nath Chattopadhyaya:** What was the actual saving on the East Indian and other State Railways during the retrenchment campaign separately from:

- (i) officers and
- (ii) subordinates?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for is not readily available. I would, however, refer the Honourable Member to paragraphs 61 and 62 of Volume I of the Report by the Railway Board for the year 1931-32 which contain available information. A copy of the Report referred to will be found in the Library of the House.

Prof. N. G. Ranga: How many officers and how many subordinates were retrenched on the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: I believe this information will be found in the two paragraphs of the Volume I have referred to.

Prof. N. G. Ranga: What about the numbers?

The Honourable Sir Muhammad Zafrullah Khan: I think all that information will be found in that volume.

EXPENSES INCURRED FOR THE POPE COMMITTEE AND ITS OFFSHOOTS.

791. ***Mr. Amarendra Nath Chattopadhyaya:** Will Government please state the expenses incurred for the Pope Committee and its offshoots?

The Honourable Sir Muhammad Zafrullah Khan: As regards the first Pope Committee, I would invite the Honourable Member's attention to Mr. P. R. Rau's reply to Mr. Thampan's question No. 839 asked in this House on the 12th September, 1933. As regards the second Pope Committee the expenditure incurred including the cost of printing the report, amounted to about Rs. 25,270. The expenditure incurred by railways on job analysis initiated by Mr. Pope is shown in paragraph 12 of Volume I of the "Report by the Railway Board on Indian Railways for 1934-35", copies of which are in the Library of the House.

VILLAGERS ASKED TO LEAVE THEIR VILLAGES IN JHANSI TEHSIL FOR MILITARY MANŒUVRES.

792. ***Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state the number of inhabitants and the number of villagers, who were asked to leave their villages in Jhansi Tehsil in the vicinity of Babina in connection with the military manœuvres last December?

- (b) What are the names of these villages and their population?
- (c) When did these villagers receive the order to vacate their villages, in day time?
- (d) Will Government please state the dates on which the villagers had to leave their villages?
- (e) Is it a fact that the villagers had to live unprotected under the open sky, throughout these days, with their old, sick, infirm, children, and pregnant women, and women with their newly born babies? If not, what arrangements were made for their shelter from the cold and rains in the cold season?
- (f) Is it a fact that one woman gave birth to a child under a tree in the midst of rains and cold winds?
- (g) Will Government please enquire and state if it is a fact that one villager died due to severe cold?
- (h) What compensation, if any, was given to these villagers for the hardships they had to undergo and the losses they had to suffer in respect of their fields, harvests, cattle, etc.?
- (i) What steps, if any, do Government intend to take to remove these losses and hardships?
- (j) Do Government intend to issue instructions that the military manœuvres should not take place, at all, near villages? If so, when? If not, why not?

Mr. G. R. F. Tottenham: (a) to (j). Enquiries are being made as to the incidents to which the Honourable Member refers, and I will lay a statement on the table in due course. At the moment I can only say that an Artillery Practice Camp (not manœuvres) was held at Babina early in December. For Artillery Practice it is the custom to select for the target a piece of waste ground, as far as possible from any habitation, but having regard to the range of modern artillery it is almost impossible to find an area where there is not some danger, however remote, to neighbouring villages. The villagers are accordingly warned in ample time that in their own interests they must leave their houses for a few hours on certain days. They can, of course, always return at night. Every effort is made to minimize the inconvenience caused, and Government have no reason to suppose that any undue hardship or discontent exists as a result of these practices.

Seth Govind Das: How much time was given to these villagers to leave their homes?

Mr. G. R. F. Tottenham: I have no information about the details of this case, and I would ask the Honourable Member to wait until I lay the statement on the table.

Mr. Sri Prakasa: Have Government got any schedule for paying compensation?

Mr. G. R. F. Tottenham: I believe there is a regular tariff laid down.

Mr. Sri Prakasa: Is it a fact that two annas per man and six pies per woman is paid, and that nothing is paid to persons of 18 and under and nothing for cattle either?

Mr. G. R. F. Tottenham: I should require notice, Sir; I am not sure.

Sir Cowasji Jehangir: Did the Honourable Member say that villagers are asked to leave their houses for a few hours on certain days?

Mr. G. R. F. Tottenham: Yes.

Mr. S. Satyamurti: May I know, Sir, if such a thing happens in his own country,—I mean the villagers being asked to leave their houses for a few hours?

Mr. G. R. F. Tottenham: I believe there is a regular Act in England, called the Manœuvres Act, under which the military authorities when they are carrying out manœuvres have certain powers over the population of the area over which they are operating. I do not know the extent of the powers, but I think they are very considerable.

Mr. S. Satyamurti: Do those powers include asking people to leave their houses?

Mr. G. R. F. Tottenham: I should require notice of that question.

Mr. S. Satyamurti: Please take notice, Sir.

Mr. Lalchand Navalrai: May I know, Sir, if within those two hours in which the villagers were asked to leave their houses, there were any accidents?

Mr. G. R. F. Tottenham: I never said two hours.

Mr. Lalchand Navalrai: How much time was given to these people to leave their homes?

Mr. G. R. F. Tottenham: I said they were absent for a few hours?

Mr. Lalchand Navalrai: Were there any accidents within those few hours?

Mr. G. R. F. Tottenham: Not that I know of.

Mr. Sri Prakasa: The facts in this case, Sir, are that one woman was actually delivered in the open field, and that another woman was compulsorily removed soon after delivery. These are very hard cases, and I think stringent inquiries have got to be made. I want to know whether Government propose to lay down any instructions on this subject?

Mr. G. R. F. Tottenham: Well, Sir, we do not yet know whether the facts which the Honourable Member has mentioned are really correct or not, but I can assure the Honourable Member that every possible precaution is taken to avoid undue hardship in these cases.

Prof. N. G. Ranga: How much time is given to these people, and what is meant by ample notice?

Mr. G. R. F. Tottenham: As much notice as possible. I suppose a week's notice or ten days' notice or a month—I am not sure.

Mr. Sri Prakasa: Will Government make sure that these manœuvres are carried out only in uninhabited jungles, and there are many of them in the Jhansi district?

Mr. G. R. F. Tottenham: As I explained, these were not manœuvres. It was an Artillery Practice Camp. The Artillery were firing at certain targets, and they did select an area which was as far as possible from any human habitation; but, as I explained, the range of modern artillery is such that there is always the possibility of an accident if people are not warned within a very large radius of that target, and therefore the warning is given.

Mr. Sri Prakasa: Is there not always a possibility of some woman or other being about to be delivered, and what precautions will Government take for their safety? There have been very hard cases. I know these facts myself.

Mr. President (The Honourable Sir Abdur Rahim): It is a hypothetical question.

Mr. Sri Prakasa: It is a very important question, Sir, and I hope you will permit me to put it.

Mr. President (The Honourable Sir Abdur Rahim): It is a hypothetical question.

Pandit Lakshmi Kanta Maitra: May I put one supplementary question, Sir?

Mr. President (The Honourable Sir Abdur Rahim): The answer given has been very full, and as regards the compensation given to these people, the Honourable Member said he could not give an answer, and he has asked for notice.

CULTURABLE LAND LYING WASTE AND UNCULTIVATED IN THE CENTRALLY ADMINISTERED AREAS.

793. *Dr. Bhagavan Das: (a) Will Government please state the extent of culturable land lying waste and uncultivated in the centrally administered areas?

(b) Have Government considered any method of utilizing this?

(c) What is the amount of the budget grant for village improvement reserves for the centrally administered areas?

(d) How has this amount been spent?

(e) Are Government prepared to consider the desirability of spending some portion of this amount on the proper utilization of culturable land lying waste with a view to relieving unemployment and congestion of population?

(f) Are Government prepared to call for information from the provinces as to how they have spent the amounts allotted to them out of the grant for village improvement, and advise them to utilise the amounts for the purposes mentioned in part (e) above?

Sir Girja Shankar Bajpai: (a) I would invite the Honourable Member's attention to Volume I of the Agricultural Statistics of India, which contains the information desired by him.

(b) No. Part of this area is probably used for grazing and thus definitely used for an agricultural purpose. As regards the rest expert opinion is that available funds could be more profitably spent upon improving the cultivated areas.

(c) and (d). The attention of the Honourable Member is invited to the statement laid on the table of the House by the Honourable the Finance Member on the 6th September, 1935, in reply to Mr. Basanta Kumar Das's starred question No. 162

(e) and the latter part of (f). I would refer the Honourable Member to the answer to part (b) of his question.

First part of (f). Yes, they have already done so.

Prof. N. G. Ranga: Are Government aware of the fact that the statistics published in their Volume I relating to land lying waste and uncultured are largely inaccurate and cannot be relied upon?

Sir Girja Shankar Bajpai: Sir, we do not claim absolute precision for the statistics which are published in this document.

Prof. N. G. Ranga: What is the percentage of error, Sir?

Sir Girja Shankar Bajpai: It varies.

SUICIDES AND DACOITIES COMMITTED DUE TO UN-EMPLOYMENT AND ECONOMIC DEPRESSION IN THE CENTRALLY ADMINISTERED AREAS.

794. ***Dr. Bhagavan Das:** (a) Will Government please state the number of suicides and dacoities committed in the centrally administered areas due to unemployment and economic depression during the five years ending 31st March, 1935?

(b) Are Government prepared to call for figures of such suicides and dacoities from the provinces also?

(c) What steps do Government propose to take to relieve the situation?

The Honourable Sir Henry Craik: (a) and (b). Though it would be possible to collect statistics from the centrally administered areas and from the provinces of the total number of dacoities and suicides in recent years, to ascertain what proportion was due to unemployment and economic depression would necessitate a detailed examination of each case and the labour involved would not in any way be commensurate with its results.

(c) The general problem of unemployment is, as the Honourable Member is no doubt aware, being carefully considered by both Local Governments and the Government of India.

Prof. N. G. Ranga: Are Government aware of the fact that, during the last one month or so, a woman was found to have attempted to kill her three children and succeeded in killing two children and that she was observed in her attempt to kill her third child, because of her inability to maintain herself as a result of unemployment?

The Honourable Sir Henry Craik: No, Sir; I am not aware of that fact. Where did it happen?

Prof. N. G. Ranga: It was published in the *Hindustan Times* of Delhi.

The Honourable Sir Henry Craik: Where did it happen?

Prof. N. G. Ranga: It happened in one of the centrally administered areas. I believe to the best of my knowledge it happened in Ajmer.

The Honourable Sir Henry Craik: I am not aware of it.

Mr. Sri Prakasa: Who is the final authority to judge whether the labour involved is commensurate with the results or not?

Mr. President (The Honourable Sir Abdur Rahim): The Member of Government in charge of the Department.

Mr. Sri Prakasa: Is he the final authority to judge this? When the President has admitted the question, it stands to reason that the President thinks that the labour involved will be commensurate with the results.

Mr. President (The Honourable Sir Abdur Rahim): It is not possible for the President to foresee all the difficulties there may be in the collection of the particular information. He can only see to the form of the questions.

POLITICAL TERRORIST CRIMES.

795. *Dr. Bhagavan Das: (a) Will Government please state the total number of political terrorist crimes committed by private persons from 1907 to 1934, giving figures separately, if possible, for each class of such crime in the centrally administered areas?

(b) What is the total number of crimes for which salaried Government servants have been convicted by courts during the same period, giving figures separately for each class of crime and each class of such servants?

The Honourable Sir Henry Craik: The collection of the information required by the Honourable Member will involve an excessive amount of time and labour which would hardly be justified by the results.

Mr. Sri Prakasa: Are so many salaried Government servants involved in violent crimes that the amount of labour involved in collecting statistics would be so great as to floor the Government?

The Honourable Sir Henry Craik: The question refers to the total number of crimes of which salaried Government servants have been convicted. The question is not confined to violent crimes, but to the total number of crimes. There are no statistics maintained, so far as I

am aware, of crimes committed by salaried Government servants. This will involve the examination of the record of every criminal case decided over a period of 27 years in all the centrally administered areas.

Dr. Bhagavan Das: Have Government duly considered the fact that the labour involved in collecting these statistics would be amply repaid by their finding out the root causes of the vast unrest that is obviously and indisputably prevailing throughout the country, and so becoming able to discover and apply the right and suitable and radical remedies?

The Honourable Sir Henry Craik: That suggestion seems to be very remotely connected with the question asked.

ALLEGED CORRUPTION AMONG POLICEMEN.

796. *Dr. Bhagavan Das: In view of the evidence tendered by high police officials before the Simon Commission to the effect that a large percentage of policemen were in the habit of taking bribes and in view of the words of Mr. Gordon, the Police Commissioner of Calcutta, to the same effect, in a recent circular, will Government please state what steps, if any, they propose to take to eradicate this evil in the centrally administered areas, and whether they intend to advise Local Governments to take similar steps in their respective provinces?

The Honourable Sir Henry Craik: I have looked through the reports of evidence taken by the Simon Commission and do not consider it correct to say that the bulk of the evidence of high police officials, before that Commission, was to the effect that a large percentage of policemen were in the habit of taking bribes. I have not seen the circular issued by Mr. Gordon, but from what has appeared in the Press I cannot find that he said what the Honourable Member suggests he did. In any case, I am quite satisfied, from long experience of police administration, that all Local Governments and Local Administrations and their officers are fully alive to the necessity of taking all possible steps to prevent corruption. These efforts have met with some success, but Government cannot entirely eradicate an evil of this kind until they have the active co-operation of the people themselves and until public opinion develops both against the bribe-giver and the bribe-taker.

Prof. N. G. Ranga: What is the nature of the steps taken so far to get rid of this evil and with what effect?

The Honourable Sir Henry Craik: That is far too wide a question to answer in reply to a supplementary question.

Mr. S. Satyamurti: What steps are Government taking to ensure public co-operation to eradicate this evil?

The Honourable Sir Henry Craik: All steps possible by way of educating the public. It is a slow process.

Mr. Sri Prakasa: Is it not a fact that when a complaint against a police official is sent to the higher authorities, the complainant is put down as malicious and very often he is prosecuted himself?

The Honourable Sir Henry Craik: No. That is not a fact.

Prof. N. G. Ranga: How many police officials have been dismissed for having taken bribes

Mr. President (The Honourable Sir Abdur Rahim): That is not a supplementary question.

Mr. S. Satyamurti: Have Government considered, or will they consider, the necessity of ensuring public co-operation, by impressing on the police officials, from the highest to the lowest, to conduct themselves as become servants of the public and not bullies?

The Honourable Sir Henry Craik: That is constantly being done.

Mr. S. Satyamurti: No example is set here!

(At this stage, two or three Honourable Members began to put questions at the same time.)

Mr. President (The Honourable Sir Abdur Rahim): The Chair will not allow this. It is extremely wrong on the part of so many Honourable Members starting supplementary questions before they rise in their seats. If that practice continues, the Chair will be obliged not to allow any supplementary question except by those whom it calls upon to do so.

Dr. Bhagavan Das: Are Government aware of the fact that only a few weeks ago a Sessions Judge in the Punjab has definitely recorded in his judgment a remark to the effect that under present conditions the bribe-taker is far more to blame than the bribe-giver for the universal prevalence of blackmailing, corruption and bribery in the Punjab?

The Honourable Sir Henry Craik: I was not aware of that.

Pandit Lakshmi Kanta Maitra: Am I to understand from the Honourable Member that he is not in touch with the Provincial Governments and that he does not know that the Police Commissioner of Calcutta issued instructions like that?

The Honourable Sir Henry Craik: No. I am in touch with Provincial Governments, and I do know that the Commissioner of Police has issued such instructions.

Pandit Lakshmi Kanta Maitra: Is it not a fact that Mr. Gordon issued a circular like that and prosecuted several police officials for taking bribes, and was not Mr. Gordon shunted out of that place and sent on to another district?

The Honourable Sir Henry Craik: That is entirely incorrect.

Mr. President (The Honourable Sir Abdur Rahim): Next question, No. 797.

INDIAN SETTLERS OVERSEAS.

797. *Mr. Akhil Chandra Datta: (a) Will Government be pleased to state the number of Indian settlers overseas in countries within the empire and outside?

(b) Have Government considered the advisability of having a permanent organisation to look to their interests?

(c) In view of the fact that there would soon be a reorganisation of the Secretariat, are Government prepared to open an 'Overseas' department, as was urged upon in the Council of State during the last Simla Session?

(d) If not, what other machinery do Government propose to institute to deal with the question of protection of the interests of the Indians overseas on a permanent basis?

Sir Girja Shankar Bajpai: (a) The Indian population overseas, within the Empire, is approximately 2,358,000. The exact number of Indians, outside the Empire is not known, but is estimated at over 100,000.

(b), (c) and (d). The attention of the Honourable Member is invited to the reply given by me to Mr. Satyamurti's question No. 420 on the 17th September, 1935, and to the supplementaries arising out of it.

APPOINTMENT OF INDIAN TRADE COMMISSIONERS IN FOREIGN COUNTRIES.

798. *Mr. Akhil Chandra Datta: (a) Will Government be pleased to state if they have received any representations from the Indian Federation of Chambers of Commerce and various other Chambers of Commerce in the matter of appointment of Trade Commissioners in foreign countries? If so, what are they? What have been the decisions of Government on these representations?

The Honourable Sir Muhammad Zafrullah Khan: Government have received representations from certain commercial bodies urging the necessity for the appointment of more Indian Trade Commissioners in foreign countries. Government have noted the views of these bodies and have now under consideration the question of making appointments of Indian Trade Commissioners at Mombasa and in Japan.

APPOINTMENT OF A TRADE COMMISSIONER IN JAPAN.

799. *Mr. Akhil Chandra Datta: (a) Is it a fact that there is yet no Trade Commissioner in Japan? If not, why not?

(b) When do Government propose to appoint a Trade Commissioner in Japan?

(c) Are there any other countries where Trade Commissioners are proposed to be appointed in the near future?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The question of appointing an Indian Trade Commissioner in Japan is at present under the consideration of the Government of India.

(c) The appointment of an Indian Trade Commissioner in East Africa is also under consideration.

Prof. N. G. Ranga: Is it not a fact that the question of appointing a Trade Commissioner in Japan has been under the consideration of Government for more than one year, and, if so, how long will Government continue to consider this question before they appoint the Trade Commissioner?

The Honourable Sir Muhammad Zafrullah Khan: Government are unable to state how long it might take before the appointment is made.

Prof. N. G. Ranga: How long has it been under the consideration of the Government?

The Honourable Sir Muhammad Zafrullah Khan: For some time.

Prof. N. G. Ranga: Why so much delay?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

APPOINTMENT OF INDIAN TRADE COMMISSIONERS IN FOREIGN COUNTRIES.

800. ***Mr. Akhil Chandra Datta:** Are Government prepared to consider the advisability of appointing Indians only as Trade Commissioners in foreign countries?

The Honourable Sir Muhammad Zafrullah Khan: The desirability of appointing Indians as Trade Commissioners in foreign countries is always considered in making the appointments. I may add for the information of the Honourable Member that our Trade Commissioners in Hamburg and Milan are both Indians.

Seth Govind Das: Do Government think it desirable that the mercantile community and the mercantile institutions of this country should be consulted before the appointments are made?

The Honourable Sir Muhammad Zafrullah Khan: That is to say, with regard to individual appointments?

Seth Govind Das: Yes.

The Honourable Sir Muhammad Zafrullah Khan: No.

DESCENDANTS OF MAHARANI LAXMIBAI SAHEBA OF JHANSI.

801. ***Mr. M. S. Aney:** (a) Are Government prepared to make enquiries regarding the descendants of Maharani Laxmibai Saheba of Jhansi?

(b) Are Government aware that the condition of the grand-son of the Maharani is deplorable?

(c) Will Government be pleased to state if it is prepared to ameliorate it and if so, to what extent?

(d) Are Government aware that a deposit of not less than six lakhs of rupees belonging to the son of the Maharani, is with Government?

(e) Will Government be pleased to state how the interest accruing on it is being utilised, and whether there is any objection to giving it to the descendants of the Maharani?

Sir Aubrey Metcalfe: (a) No.

(b) No.

(c) Does not arise.

(d) Six lakhs of rupees represents Damodar Rao's estimate of the amount due to him as heir to his adopted father, the late Raja of Jhansi. His claim was rejected in 1881.

(e) Consequent on the rebellion of Rani Laxmibai in 1857, the private possessions of the Jhansi Raj were confiscated. No question of interest on the sum claimed by Damodar Rao, therefore, arises.

Mr. M. S. Aney: Is the Honourable Member aware that His Excellency Lord Dalhousie had recorded in his Minute that the property belonging to Maharani Laxmibai was private property and could not, therefore, be confiscated?

Sir Aubrey Metcalfe: I have not seen the Minute referred to, but I merely re-state that the claim was rejected over fifty years ago.

Mr. M. S. Aney: Would the Honourable Member kindly promise to go into the matter and see whether there is a Minute like that or not?

Sir Aubrey Metcalfe: No. I am not prepared to go into a matter which was finally decided over fifty years ago.

FIXATION OF THE NUMBER OF GAZETTED HOLIDAYS.

802. ***Mr. M. S. Aney:** (a) Will Government be pleased to state who is responsible for fixing the number of gazetted holidays for Government of India offices and the centrally administered areas every year?

(b) What is the principle on which the allotment of Hindu, Muhammadan, and Christian holidays is made?

(c) Is it customary to consult some religious heads of each religion some time before sanctioning the list of gazetted holidays for any particular year? If so, who are the persons or institutions belonging to each one of these religions which are being so consulted?

(d) Are Government aware of the fact that there is a widespread discontent among the Jain community, which is spread over a considerable part of the Bombay Presidency, the Central Provinces and Berar, Madras Presidency, Bengal, the United Provinces, Ajmer-Merwara, and Delhi, as the gazetted list of holidays contains not a single day out of many which are observed by that great community for performing certain religious ceremonies and observing some religious usages?

(e) Do Government propose to include in the list of gazetted holidays at least the birth-day of Maha-Vir-Jin, the founder of that great religion?

The Honourable Sir Henry Craik: (a), (b) and (c). As explained in the Home Department Office Memorandum No. D-4562-Public, dated the 20th October, 1923 (a copy of which is in the Library of the House), the holidays in the Government of India offices, that move between Simla and Delhi, were fixed by the Home Department after consultation with the representatives (one Hindu, one Muhammadan, one Christian and one Sikh) of the Imperial Secretariat Association. The Government of India offices that remain in Delhi all the year round follow the local practice in regard to holidays. No holidays are gazetted by the Government of India.

(d) and (e). Government received representations from certain Jain Associations on the subject and informed the Associations that as holidays in the various provinces in India are declared by Local Governments under the Negotiable Instruments Act, 1881, they should address the Local Governments concerned in the matter.

As already stated, holidays are not gazetted by the Government of India offices, but members of the Jain community serving in offices that move between Delhi and Simla are at liberty to take a holiday on the day of this festival within the six communal holidays allowed to persons employed in these offices.

Information on all these points in respect of the centrally administered areas is being obtained and will be laid on the table of the House in due course.

EXCAVATION WORK AT PADAMPUR, THE BIRTHPLACE OF BHAVABHUTI.

803. ***Mr. M. S. Aney:** (a) Has the attention of Government been drawn to the article contributed by Prof. V. V. Mirasi of the Morris College, Nagpur, to the *Indian Historical Quarterly*, June, 1935, on the "Birthplace of Bhavabhuti" and particularly to the following passage on page 298?

"The evidence set forth above will, I hope, convince scholars that Padampur near Amgaon (Bhandara District, C. P.) was the birth place of Bhavabhuti. Government has been aware of the existence of the ruins of massive buildings at Padampur for more than sixty years, but it has undertaken no excavation work there, or for the matter of that, anywhere else in the Central Provinces and Berar. I would draw the attention of the Archaeological Department to this important site."

(b) Are Government prepared to depute some responsible officer to examine the site of Padampur and submit a report to the Archaeological Department about the feasibility of undertaking the work of excavation there in the near future?

Sir Girja Shankar Bajpai: (a) Yes.

(b) The question of protecting the site is already under the consideration of the Archaeological Department. It is also hoped that the Superintendent, Central Circle, will be able to pay it a visit shortly. The Honourable Member will appreciate that no decision about the work of excavation there can be taken until this officer's report is received.

SURVEY OF THE SITE OF OLD TOWNS AND PLACES OF HISTORIC IMPORTANCE IN THE CENTRAL PROVINCES AND BERAR.

804. *Mr. M. S. Aney: Will Government be pleased to state whether a responsible officer of the Archaeological Department was deputed some time before to visit the Central Provinces and Berar in order to survey the site of old towns and places of historic importance in that province and ascertain the possibility of successful undertaking of excavation work there? If so, do Government propose to publish the report submitted by that officer, and state what steps they have hitherto taken, or propose to take, to give effect to the recommendations, if any, made in the said report?

Sir Girja Shankar Bajpai: The reply to the first part of the question is in the affirmative. No formal report was, however, submitted, that could be published. It has not been possible so far, on account of financial stringency, to undertake any excavation work in the Central Provinces and Berar.

USE OF INDIAN RAW MATERIAL IN THE UNITED KINGDOM.

805. *Mr. M. S. Aney: (a) Will Government be pleased to state what special efforts were made from 1933 to 1935, and with what result, by the British Textile Mission in pursuance of clause 6 of the agreement concluded between the Mission and the Mill Owners' Association, Bombay, in the autumn of 1935:

(i) to popularise and promote the use of the Indian raw material in the United Kingdom, and

(ii) to explore other avenues of co-operation in this field in the interests of the Indian cotton grower?

(b) In view of the fact that the above agreement expired on 31st December, 1935, will Government be pleased to state what measures they propose to adopt to retain in future such advantages as clause 6 may have secured to the producers of Indian raw material in general, and the Indian cotton growers in particular?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Honourable Member is referred to the First and Second Annual reports of the Lancashire Indian Cotton Committee, copies of which are in the Library of the Legislature.

(b) I would invite the attention of the Honourable Member to Article 8 of the Ottawa Trade Agreement between His Majesty's Government in the United Kingdom and the Government of India and Article 5 of the Supplementary Trade Agreement, copies of which are also in the Library.

MANUFACTURE OF MOTOR TYRES AND TUBES IN TRAVANCORE.

806. ***Mr. Sami Vencatachellam Chetty:** (a) Are Government aware that the Travancore Government are proposing floating a concern to manufacture motor tyres and tubes?

(b) What is the present customs revenue on these goods?

(c) Have Government, in view of the possible loss of customs revenue, any plans for being compensated for the same?

(d) Are Government aware that a tyre factory is to be started at Calcutta?

The Honourable Sir James Grigg: (a) No.

(b) The total customs revenue from all types of pneumatic tyres and tubes in 1934-35 was approximately Rs. 35 lakhs.

(c) Not yet.

(d) Yes.

PERSONNEL OF THE STAFF OF THE DELHI BROADCASTING STATION.

807. ***Sardar Sant Singh:** (a) Will Government be pleased to lay on the table a statement showing the names of those appointed to the Delhi Broadcasting Station, stating their age, qualifications, salary with grades if any, community they belong to, and the nature of their appointment whether permanent or temporary?

(b) Will Government be pleased to lay on the table a statement showing the names of those who have broadcasted from the Delhi Broadcasting Station, either on the payment of fees or honorarily, mentioning their status in public life, their race or community, and the amount of fees paid wherever such payment has been made?

(c) Will Government be pleased to state whether in the selection of artists, who broadcast from the Delhi Broadcasting Station, any non-official advice is taken, and if so, from what source?

The Honourable Sir Frank Noyce: (a) and (b). Two statements are laid on the table. I do not think it proper to disclose the amounts paid to persons who have broadcast from the Delhi Station. Many of them are professional musicians and it would not be fair to them to publish the terms on which they agreed to broadcast.

(c) No formal arrangements have been made but, I understand, that the Controller takes the advice of a group of prominent non-officials in Delhi who are interested in the development of Indian art and music.

Statement showing the names of those appointed to the Delhi Broadcasting Station, showing their age, qualifications, salary with grades and community and the nature of their appointments.

| Name. | Designation. | Community. | Time-scale pay. | Actual pay. | Approximate age. | Qualifications and experience. | Nature of appointment. |
|--------------------------------|---------------------|------------|-----------------------|-------------|------------------|--|------------------------|
| 1. Mr. C. B. Sethna, O.B.E. | Station Director. | Parsi | Rs. 750—25—900 | Rs. 775 | Y. M. 41 8 | Station Director, Bombay. transferred to Delhi temporarily to organise the station. | Temporary. |
| 1. Mr. S. C. Roy | Station Engineer. | Hindu | 250—15—400— 20—500 | 400 | 36 0 | M.Sc. Station Engineer, Calcutta, transferred to Delhi. | " |
| 1. Mr. B. V. Baliga | Assistant Engineer. | " | 180—10—300 | 180 | 26 6 | B.A. Holds Certificate of Proficiency in Electrical Technology and Electrical Communication Engg. Indian Institute of Science, Bangalore. | " |
| 2. Mr. T. D. Chatterji | " | " | 180—10—300 | 180 | 24 6 | Practical training—The Ahmedabad Electric Supply Co., Ltd., the Mysore Hydro-Electric Generating Station at Sivasamudram and Receiving Station at Bangalore. Indian Radio & Cable Communications Co., Ltd., Bombay. B.Sc. Holds Certificate of Proficiency in Electrical Technology and Electrical Communication Engg., Indian Institute of Science, Bangalore. Practical training—The Ganges Canal Hydro-Electric System. Mysore Govt., Indian Radio and Cable Communications, Ltd., Bombay, and the Broadcasting Station, Delhi, when it was in the process of erection. | " |

| Name. | Designation. | Community. | Time-scale pay. | Actual pay. | Approximate age. | Qualification, and experience. | Nature of appointment. |
|----------------------|----------------------|------------|-----------------|-------------|------------------|---|------------------------|
| 1. Mr. P. R. Khanna | Technical Assistant. | Hindu | Rs. 60-5-130 | Rs. 60 | Y. M. 29 3 | B.Sc. (E. & M. Engg., Benares Hindu University). Practical training—Burn & Co., Howrah, Champion Elec. Engg. Works, Delhi, Philips Electrical Co. (India), Ltd., Calcutta. | Temporary. |
| 2. Mr. M. L. Sastri | " | " | 60-5-130 | 60 | 25 6 | B.A., B.Sc. (E. & M. Engg., Benares Hindu University). Passed Final grade examination in Electrical Engg. of the 'City and Guilds', London Institute. Practical training—Cauvery Hydro-Electric Scheme, Andhra University Electrification Scheme. Masulipatam Electric Corporation. | " |
| 3. Mr. K. P. Banerji | " | " | 60-5-130 | 60 | 26 9 | B.Sc. (E. & M. Engg., Benares Hindu University). Practical training—Kashmir Hydro-Electric Works, Jammu Power Station. Worked as Asstt. Engr. at Maya Engg. Works, Calcutta, Mty. Engg. Deptt. | " |
| 4. Mr. B. J. Gulati | " | " | 60-5-130 | 100 | 29 5 | M.Sc., A.M.I.E.E. Practical training in the laboratory, Govt. College, Lahore. | " |

| | | | | | | | | |
|--------------------------|---|--------|----------|----|----|---|--|-----------------------|
| 5. Mr. M. D. Chaturvedi. | " | " | 60-5-130 | 60 | 25 | 6 | B.Sc. (E. & M. Engg., Benares Hindu University). Practical training—The Delhi Electric Supply & Traction Co., Ltd. | " |
| 6. Mr. M. M. Khan | " | Muslim | 60-5-130 | 60 | 32 | 0 | M.Sc. Engg. qualifications in England. Attended the final year's course of lectures and Laboratory work in Electrical Engg. at the City & Guilds College, London. Holds diploma of Engg. College of the Northampton Polytechnic Institute, London. in Electrical Communications, having special courses in Radio Engg. Is an Associate Member of the Institute of Radio Engg., New York. Practical training at the research station of the General Post Office at Dollis Hill, London. B. B. C. Control Section and Studios at London and Birmingham. B. B. C. Transmitting Station, Brookmans Park. Wireless Telegraph Station. Rugby. Marconi Wireless Telegraph Co., Chelmsford. Columbia Gramophone Co.'s Works, London. General Electric Co.'s Research Laboratories, London. 1½ years' training at Broadcasting Station, Calcutta. | Up to 29th Feby. 1936 |
| 7. Mr. N. K. Banerjee | " | Hindu | 60 5-130 | 60 | 25 | 0 | B.Sc. (E. & M. Engg., Benares Hindu University). Worked as Resident Engineer in the firm "United Engineers". | Temporary. |

| Name. | Designation. | Community. | Time-scale pay. | Actual pay. | Approximate age. | Qualifications and experience. | Nature of appointment. |
|-----------------------------|------------------------|------------|------------------------|-------------|------------------|--|------------------------|
| 1. Mr. R. B. Singh Vaid. | Mechanic | Hindu | Rs. 30—3—84—4— 100. | Rs. 30 | Y. M. 24 6 | Passed Wireman Examination of Board of Electricity, Delhi. Practical training—Asstt. Wireman in N. W. Ry. Swedeshi Electric Stores and Electric Stores, Delhi. Matriculate. Worked as mechanic under the Marconi Engineer when the Delhi Broadcasting Station was under construction. | Temporary. |
| 2. Mr. Hirkari Lal | " | " | 30—3—84—4— 100. | 30 | 24 4 | Intermediate Examination and Munshi Fazil (Honours in Persian) of the Punjab University. Holds a permanent post as translator in the G. S. Branch, A. H. Q., on Rs. 308 in the scale of Rs. 200—12—440 per mensem. Author of the drama "Zamir-ki-saza" and translated the following :— Arms and the Man (Staged). Doctor Jekyll & Mr. Hyde. The First and the Last. Rosom's Universal Robots (Staged). The Apple Tree. The Origin of the World (published by the Punjab Government). Box & Cox (Staged). Maharani of Arakan (Staged). 14 years experience of acting and producing. | " |
| 1. Mr. Z. A. Bokhari | Director of Programme. | Muslim | 220—14—400— 500 | 310 | 31 6 | | " |

| | | | | | | | | |
|-----------------------------|----------------------------|--------|------------|-----|----|---|---|---|
| 1. Mr. Agha Mohd. Ashraf. | Sub-Director of Programme. | " | 150—10—300 | 150 | 23 | 6 | M. A. in Persian . Author and translator of the following books in Urdu :— A study of Economics for the beginners in Urdu. Urdu translation of the famous Persian Mystic Mathnawi of Attar. Book for essay writing in Urdu recommended as a text book by the Board of Secondary Education, Delhi for the High School Examinations. Selection of Urdu Literature for the High School Examination, Delhi Province. Was employed as Lecturer in the St. Stephen's College, Delhi. | " |
| 1. Mr. A. K. Sen | Programme Assistant. | Hindu | 60—5—130 | 100 | 22 | 6 | B.A. (Hons.) | " |
| 2. Mr. Sajjad Sarwar Niazi. | " | Muslim | 60—5—130 | 100 | 33 | 0 | B.A. (Hons.). A well known musician. Worked as Recording Assistant and Director of Music with the Gramophone Co., Ltd., Delhi for two years and conducted their orchestra. Has made more than a dozen records, solo as well as duets in "His Master's Voice" and "Twin". Gave broadcast programmes to Broadcasting Stations, Lahore and Peshawar. | " |

| Name. | Designation. | Community. | Time-scale pay. | Actual pay. | Approximate age. | Qualifications and experience. | Nature of appointment. |
|-----------------------|----------------------|------------|-----------------|-----------------------------------|------------------|---|------------------------|
| 3. Mr. Rup Lal Mallak | Programme Assistant. | Hindu | Rs. 60—5—130 | Rs. 100 | Y. M. 29 5 | B.A. in English only. Holds Diploma of Higher Proficiency in Urdu. | Temporary. |
| 4. Mr. Itikhar Ullah | " | Muslim | 60—5—130 | 100 | 22 6 | Matriculate Worked for about 2 years at Calcutta Broadcasting Station as honorary Director of Drama. | " |
| 1. Mr. A. H. Majaz | Sub-Editor | " | 100—10—150 | 100 | 23 0 | B.A. Worked as an Editor of the Aligarh Magazine. | " |
| 1. Mr. Nazim Ali | Accountant | " | 130—6—190 | 130 | 30 0 | B.A. Holds a permanent post in the office of the A. G., C. R. | " |
| 1. M. R. Balujad | Clerk, I Grade | Hindu | 90—4—115 | 95 | 45 0 | Studied up to Matric. | " |
| 1. Mr. Nazir Ahmad | Clerk, II Grade | Muslim | 40—3—85 | 40 | 20 0 | Matric. | " |
| 2. Mr. Amar Singh | " | Sikh | 40—3—85 | 40 | 30 0 | " | " |
| 3. Mr. B. N. Sen | " | Hindu | 40—3—85 | 40 | 23 0 | Intermediate | " |
| 1. Mr. Miraj Uddin | Stenographer | Muslim | 45—5—145 | Rs. 30 compensatory allowance. | 25 0 | Post-matric. | " |
| 1. Mr. Satya Prasad | Motor Driver | Hindu | 40—2—60 | 40 | 40 0 | | " |

Statement showing the names of persons who have broadcast from the Delhi broadcasting station between November 28th, 1935, and February 2nd, 1936 either on payment or honorary. Their race or community, and their status in public life

| No. | Name. | Race or Community. | Status. |
|-----|----------------------------------|--------------------|--|
| 1 | Abdul Aziz . . . | Muslim . | Veena Player. |
| 2 | Abdur Razaak . . | " . | Actor, Delhi Station. |
| 3 | Abdur Razzaq } . | " . | Qawwal, 18th December, 1935. 12th January, 1936. |
| 4 | Akhtar Jehan . . . | " . | Actor, Delhi Station. |
| 5 | Akhtari of Agra . . | " . | Professional Singer, 6th December, 1935. 28th December, 1935. 3rd January, 1936. 10th, 18th 19th January, 1936. |
| 6 | Anderson, Sir George | European . | Educational Commissioner with the Government of India. |
| 7 | Annand, E. R. Mr. . | " . | Lecturer, St. Stephen's College, Delhi. |
| 8 | Anwar of Agra . . . | Muslim . | Professional Singer, 31st December, 1935. 5th January, 1936. |
| 9 | Asad Ali Khan . . . | " . | " " 27th December, 1935 . 18th January, 1936. 5th February, 1936. |
| 10 | Asaf Ali, Mr. . . . | " . | Bar-at-Law, M.L.A. |
| 11 | Akhtar of Delhi . . | " . | Professional Singer, 19th January, 1936. |
| 12 | Asaf Ali, Mrs. . . . | " . | Wife of Mr. Asaf Ali, M.L.A. |
| 13 | Anwar of Agra . . . | " . | Amateur Singer and Actor. |
| 14 | Ashiq Hussain . . . | " . | I. B. S. Orchestra. |
| 15 | Abdur Rahman . . . | " . | Actor, Delhi Broadcasting Station. |
| 16 | Mohd. Ayyab . . . | " . | I. B. S. Orchestra. |
| 17 | Azhar Ali, Dr. . . . | " . | Secretary, Board of Secondary Education, Delhi. |
| 18 | Bashir Ahmad . . . | " . | Merchant, 12th January, 1936. |
| 19 | Basit, M.A., Mr. . . | " . | Professor, Islamia College, Lahore. |
| 20 | Bal Kumar Gandharva . | Hindu . | Professional Singer. |
| 21 | Band of the 9th Punjab Regiment. | " . | 4th January, 1936. 20th January, 1936. 30th January, 1936. |
| 22 | Banna and Party . . | Muslim . | Qawwals. |
| 23 | Bund-e-hassan . . . | " . | Professional Singer, 25th December, 1935. |
| 24 | Bandu Khan | " . | Professional Sarangi Player, 12th December, 1935. |
| 25 | Burton Jones, Mr. . | Anglo-Indian . | Professional Violinist. |
| 26 | Brij Mohan | Hindu . | Singer, 17th January, 1936. |
| 27 | Burt, Lady | European . | Wife of the Vice-Chairman of the Imperial Council of Agricultural Research. |
| 28 | Cleeve, Major . . . | " . | Major, R. A. from Lucknow. |
| 29 | Clow, Mr. A. G. . . | " . | Secretary to the Government of India in the Department of Industries and Labour. |
| 30 | Cochan, Mr. I. . . . | " . | Lecturer, St. Stephen's College, Delhi. |
| 31 | Collins, Mr. F. C. . | " . | Organist, 19th January, 1936. |
| 32 | Crosthwaite, Mrs. H. S. | " . | Wife of H. S. Crosthwaite, Esq., Member, Public Service Commission, Government of India. |
| 33 | Cryan, Miss Amy . . | " . | Librarian, Lady Hardinge Medical College. |
| 34 | De Mello, Mr. . . . | " . | Proprietor, Northern India Transport Co. Ltd., Gwalior. |
| 35 | Doorlay, Professor . | " . | Professional Musician. |

| No. | Name. | Race or community. | Status. |
|-----|---------------------------------------|--------------------------|--|
| 36 | Durga Bai . . . | Hindu . | Professional Singer, 4th December, 1935. 13th December, 1935. 16th December, 1935. 6th January, 1936. 14th January, 1936. 21st January, 1936. |
| 37 | Duval, Lawrence . . | European . | 3rd January, 1936. Viceroy's Orchestra, 4th January, 1936. 14th January, 1936. |
| 38 | Edmunds, Mr. P. J. | " . | Director of Wireless Government of India, 28th January, 1936. 2nd February, 1936. |
| 39 | Ejaz Ali . . . | Muslim . | Professional Singer. |
| 40 | Ellwood, Mr. A. B. | European | Royal Air Force. |
| 41 | Faqiruddin . . . | Muslim . | Professional Singer, 1st January, 1936. 9th January, 1936. 1st February, 1936. |
| 42 | Faiyaz Khan . . . | " . | Court Musician, Baroda State. |
| 43 | Feroquddin . . . | " . | Singer. |
| 44 | Fusiliers, The Royal | European | Band attached to the Royal Fusiliers Regiment, Delhi, 7th January 1936. |
| 45 | Do. Dance Band Grant, Mr. L. C. P. | " . " | 15th January, 1936. Personal Assistant, C. E. P. T. Posts and Telegraphs Department, Government of India. |
| 46 | Grigg, Lady . . . | " . | Wife of the Finance Member, Government of India. |
| 47 | Gulam Farid . . . | Muslim . | Singer, 21st December 1935. 8th January 1936. 6th January 1936. |
| 48 | Gul Mohammad . . | " . | Actor. |
| 49 | Hafiz Ali . . . | " . | Professional Singer. |
| 50 | Hafiz Mahboob Hussain. | " . | "Hafiz". |
| 51 | Hasan Nizami . . . | " . | Editor, The Munadi, Delhi. |
| 52 | Hashmi, Dr. . . . | " . | Medical Practitioner. |
| 53 | Hill, Miss Norah . . | European . | Organising Secretary the Indian Red Cross Society, Delhi. |
| 54 | Hira Bai . . . | Hindu . | Professional Singer. |
| 55 | Hyder Hussain . . . | Muslim . | I. S. B. S. Orchestra. |
| 56 | Ibne Hussain . . . | " . | Professional Singer |
| 57 | Iqbal Putli . . . | " . | " " 4th January 1936. 15th January 1936. 9th December 1935. |
| 58 | Ishrat Rahmani . . | " . | " " " |
| 59 | Jagesia, Miss Vishni | Hindu . | Amateur Musician. |
| 60 | Karrar Hussain . . | Muslim . | I. B. S. Orchestra. |
| 61 | Kasim Afghan . . . | " . | Court Musician, Kabul. |
| 62 | Khurshed . . . | " . | Professional Singer. |
| 63 | Klumper, Arthur . . | European . | " " |
| 64 | Kirkness, Mr. L. H. | European . | Secretary, Railway Board, Government of India. |
| 65 | Kirke Smith, Mr. A. | " . | Solicitor to the Government of India. |
| 66 | Kumar Bal Gandhar- va. | Hindu . | Professional Singer. |
| 67 | Lache Khan . . . | Muslim . | Employed on the Delhi, I. B. Orchestra. |
| 68 | Lachi Ram . . . | Hindu . | Professional Singer, 16th January 1936. 30th January 1936. 3rd February 1936. |
| 69 | Lad Babu . . . | " . | Government Servant. |

| No. | Name. | Race or Community. | Status. |
|-----|--|--------------------------|--|
| 70 | Lachmi Dhar, Pandit Mahamahopadhyaya. | Hindu . | Professor, St. Stephen's College, Delhi. |
| 71 | Lancers, King George's Own. | European. | Band attached to the 19th King George's Own Lancers, 17th January 1936. |
| 72 | Laxmi Bai, Mrs. . | Hindu . | Court Musician, Mysore, 6th January 1936. |
| 73 | Louis and His Inter- national Aces. | European . | Delhi Club Band. 13th January 1936. |
| 74 | Majidan Bai . . | Muslim . | Professional Singer, 7th December 1935. 1st January 1936. 1st February 1936. |
| 75 | Marina Hotel, Or- chestra. | European . | Orchestra attached to the Marina Hotel. |
| 76 | Manna . . . | Muslim . | Professional Singer. |
| 77 | Masum Ali . . | " . | " . |
| 78 | Maxborne, Mr. . | European . | Professor, University of Cambridge. |
| 79 | Maxwell, Captain . | " . | Comptroller of the Commander-in-Chief's Household. |
| 80 | Mir Mohammad Hussain. | Muslim . | Secretary, Anglo-Arabic College, Committee. |
| 81 | Muhammad Sayeed | " . | I. E. S. Retired. |
| 82 | Mukherji, Mr. S. N. | Indian Christian. | Principal, St. Stephen's College, Delhi. |
| 83 | Munni Bai . . | Hindu . | Professional Singer, |
| 84 | Mushtari . . | Muslim . | " " 11th December 1935. 7th January 1936. |
| 85 | Musavi, M. H. . | " . | Lecturer, Anglo-Arabic College, Delhi. |
| 86 | Naidu, Miss. . . | Hindu . | Principal, Indraprastha Girls' School, Delhi. |
| 87 | Naushaba . . | Muslim . | Professional Singer. |
| 88 | Nasiruddin . . | " . | Court Musician—Indore. |
| 89 | Nazir Ahmad . . | " . | |
| 90 | Nawab Jan . . | " . | 30th November 1935. 5th December 1935. 2nd January 1936. 11th January 1936. |
| 91 | Noguchi, Professor . | Budhist . | Japanese Poet. |
| 92 | Panna Bai . . | Hindu . | Professional Musician. |
| 93 | Patwardhan, Pro- fessor. | " . | Principal, School of Music, Poona. |
| 94 | Petrie, Sir David . | European . | Chairman, Public Service Commission, Gov- ernment of India. |
| 95 | Punjab Regiment Band. | Indians . | Military, 5th January 1936. 20th January 1936. 30th January 1936. |
| 96 | Quadratulla . . | Muslim . | Musical Coach for the actors at the Delhi Station. |
| 97 | Qurban Ali . . | " . | Actor at the Delhi Station. |
| 98 | Rafi, Begum . . | " . | Wife of Mian Mohd. Rafi, Secretary, Legislative Assembly. |
| 99 | Rajjo Bai . . | Hindu . | Professional Singer. |
| 100 | Ramzan Khan . . | Muslim . | Do. 5th and 17th January 1936. 2nd February 1936. |
| 101 | Rashida Begum . . | " . | Do. . |
| 102 | Rashid Khan . . | " . | Employed on the I. B. S. Orchestra at the Delhi Station. |

| No. | Names. | Race or Community. | Status. |
|-----|------------------------------------|--------------------------|---|
| 103 | Rawat, B. S. . | Hindu . | Amateur Musician 2-11-35. 3-11-35. 14-11-35. 19-11-35. 22-11-35. 30-11-35. 2-12-35. |
| 104 | Richardson, Mr. B. | European . | Professor, St. Stephen's College, Delhi. |
| 105 | Robinson, Rev. | " . | Chaplain, Church of St. James, Delhi. |
| 106 | Roop Chand . | Hindu . | Amateur Musician. |
| 107 | Ronaq Ali . | Muslim . | Employed as an actor at the Delhi Station. |
| 108 | Rovinska, Madam * | European . | Professional Teacher. |
| 109 | Salamat . | Muslim . | Singer. |
| 110 | Sardar Hussain . | " . | I. B. S. Orchestra, Delhi. |
| 111 | Shiv Charan . | Hindu . | Employed as an actor at the Delhi Station. |
| 112 | Spear, Dr. T. G. P. | European . | Professor St. Stephen's College, Delhi. |
| 113 | Sudh Singh, Bhai . | Sikh . | Religious Singer. |
| 114 | Sudha Mathur, Miss | Hindu . | Amateur. |
| 115 | Swinstead, N. H. . | European . | O. S. D. Posts and Telegraphs, Directorate. |
| 116 | Syed Mohammad . | Muslim . | Lecturer, Anglo-Arabic College, Delhi. |
| 117 | Tait, Mr. G. T. . | European . | Central Publicity Officer, Railway Board. |
| 118 | Tait, Mrs. . | " . | Wife of Mr. G. T. Tait, Central Publicity Officer, Railway Board. |
| 119 | Taj Mohammad . | Muslim . | Employed as an actor at the Delhi Station. |
| 120 | Tymms, Mr. F. . | European . | Director, Civil Aviation Government of India. |
| 121 | Viceroy's Orchestra | " . | His Excellency's Orchestra. |
| 122 | Vaidyanathaswami, Dr. | Hindu . | Professor, Madras University. |
| 123 | Wazir Khan . | Muslim . | Professional Singer 17-12-35. 7-1-36. 29-1-36. |
| 124 | Weingast, Josef . | European . | Professional Orchestra. |
| 125 | Wilson, Miss . | " . | Amateur. |
| 126 | Woodhouse, Lt. Colo- nel, H. L. | " . | Director, Civil Engineering, Railway Board. |
| 127 | Young, Dr. Ruth . | " . | Principal, Lady Hardinge Medical College. |
| 128 | Zahiruddin . | Muslim . | Employed at the Delhi Station as an actor, 20-1-36. 8-1-36. |
| 129 | Zar, Pandit T. N. . | Hindu . | Lecturer, Indraprastha Girls' College, Delhi. |
| 130 | Zinda Hassan. . | Muslim . | Professional Singer. |
| 131 | Zohra Zan . | " . | Do. 2-1-36 11-1-36 17-1-36 & 2-2-36. |

*Cancelled owing to the death of His Late Majesty King George V.

Sardar Sant Singh: May I know if it is a fact that five relations of one family are employed in this station?

The Honourable Sir Frank Noyce: That is not a fact.

Sardar Sant Singh: May I know if it is a fact that the present Director is leaving this post as a protest against employing members of one family in this broadcasting station?

The Honourable Sir Frank Noyce: That statement is absolutely in-
correct.

Sardar Sant Singh: May I know if a new member has been invited belonging to the same family from Lahore Government College.

The Honourable Sir Frank Noyce: There are a number of questions on the list on this particular point which I shall be answering later on.

Sir Muhammad Yakub: With reference to part (b) of the question, will Government also be pleased to lay on the table a statement showing similar information with regard to the broadcasting stations at Bombay and Calcutta.

The Honourable Sir Frank Noyce: I do not think that arises, but if my Honourable friend will put down a question, I shall be glad to consider it.

Sir Muhammad Yakub: It will counterbalance the whole thing, and I think it will show the real state of affairs in this department.

The Honourable Sir Frank Noyce: I have nothing to hide and I have no objection to placing on the table similar statements with regard to Calcutta and Bombay, if the Honourable Member will put down a question.

Sardar Sant Singh: Who makes the selections of the artists and who settles the amount of their fees?

The Honourable Sir Frank Noyce: Primarily the Station Director. If he needs any advice, he takes the advice of the Controller of Broadcasting.

Sardar Sant Singh: May I know what is the standard in fixing fees for the artists?

The Honourable Sir Frank Noyce: I require notice of that question.

Sardar Sant Singh: May I know if the fees paid to the artists are not shared by the members of the staff of the Broadcasting station?

The Honourable Sir Frank Noyce: That question involves an absolutely unfounded insinuation.

USE OF ARABIC AND PERSIAN WORDS IN THE DELHI BROADCASTING ANNOUNCEMENTS.

808. ***Sardar Sant Singh:** (a) Will Government be pleased to state whether their attention has been drawn to the various press criticisms that have appeared from time to time regarding the profuse use of Arabic and Persian words in the Delhi Broadcasting announcements and the difficulty of the general public in following them?

(b) Will Government be pleased to state whether in making appointments to the Delhi Broadcasting Station they took note of the fact that the Station will serve a very large area, including the Provinces of the Punjab, the United Provinces, the Central Provinces, Bihar and Orissa and Rajputana, and that the Hindustani language to be used at the station should be intelligible to this vast area?

The Honourable Sir Frank Noyce: (a) No.

(b) The Delhi Station will serve a very much smaller area than the Honourable Member supposes, for the direct ray of a 20 k. w. station, which alone can be relied upon to give a constant day and night service, at all seasons, extends only for 70-80 miles from the Station. Reception at longer ranges—extending to 600 miles and, with highly selective receiving sets even more—is possible only under favourable conditions (*e.g.*, in the cold weather during the night). The language question was borne in mind when the appointments were made to the Delhi Station, and the simplest form of Hindustani, intelligible to the majority of listeners within the service area, is and will be employed.

Sardar Sant Singh: May I know if the attention of the Government has been drawn to the series of letters that have been published on this subject in the *Hindustan Times*?

The Honourable Sir Frank Noyce: I have no doubt whatever that the Controller of Broadcasting has seen them and taken them into consideration.

Sir Muhammad Yakub: Are Government aware that some of these letters proceeded from gentlemen who were rejected and who were not taken into service?

ELIMINATION OF NAUTCH GIRLS FROM THE STAFF OF THE DELHI BROADCASTING STATION.

800. *Sardar Sant Singh: Will Government be pleased to state whether they are aware of the public feeling in India against *nautch* girls and professional singers being patronised by a State service and do they propose to take steps to eliminate such so-called artists from being engaged by the Delhi Broadcasting Station?

The Honourable Sir Frank Noyce: Government are not aware of any general feeling on the subject. There is not at any rate at present, sufficient amateur talent available to fill a broadcast programme.

Sir Muhammad Yakub: Are Government aware that an Honourable Member of this House has consented to broadcast his singing on Sunday next?

The Honourable Sir Frank Noyce: I believe that several Honourable Members of this House have broadcasted on various items, including the Honourable Member on the Honourable Member's right.

Sardar Sant Singh: Does the Honourable Member know that the Sat Sri Guru Sabha in the Punjab and the Arya Samaj in the whole of India have been trying for the last six years to eliminate the *nautch* girls from the social circle. Is not the employment of *nautch* girls in the broadcasting station intended to undo the reform which has been brought about at such heavy cost and labour?

The Honourable Sir Frank Noyce: My Honourable friend is entering into an argument.

ADVISORY COMMITTEE FOR SELECTION OF BROADCASTING PROGRAMMES
AND ARTISTS.

810. *Sardar Sant Singh: Will Government be pleased to state whether they propose to set up a non-official advisory committee for advising the Broadcasting authorities on the nature of programmes to be broadcast and the type of artists who should be engaged for the purpose?

The Honourable Sir Frank Noyce: The question of the appointment of advisory committees is at present under the consideration of the Government of India.

CONTRACT FOR THE INDIAN COASTAL AND OTHER MAIL SERVICES.

811. *Seth Govind Das: (a) Will Government be pleased to state whether there exists a contract between the Secretary of State in Council and the British India Steam Navigation Company for the Indian coastal and other mail services?

(b) When was the contract first entered into?

(c) How many times has the contract been renewed from time to time?

(d) When was the contract last renewed?

(e) When does the current one expire?

(f) Do the Government of India or the Secretary of State, call for tenders for the contract of mail services around and for the coastal services of India before finally entering into an agreement?

(g) What is the present system under which the best and cheapest firm is chosen for giving the contracts?

(h) Were any Indian shipping companies called upon to quote their rates of services at any time? If so, were they unsatisfactory, and if so, on what grounds?

(i) For what length of period do Government contemplate renewing the contract with the British Indian Steam Navigation Company, which was to expire on the 31st January, 1936?

(j) Is it a fact that the Secretary of State in Council has been making arrangements for an extension of 14 months from 1st February, 1936?

(k) Do Government propose to arrange to represent the case of the Indian Shipping interests for consideration to give them a chance of quoting their service rates, for some lines if not all, in case they can render such services to the State? If not, will Government state their reasons therefor?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The existing contract was entered into with effect from the 1st February, 1924.

(c) Twice.

(d) With effect from the 1st February, 1936.

(e) The renewed contract is due to expire on the 31st March, 1937.

(f) Yes.

(g) The tender system.

(h) All companies including Indian companies were invited to tender. No tenders were received from Indian companies in connection with the contract granted from the 1st February, 1924.

(i) and (j). The Honourable Member's attention is invited to part (a) of the reply given in this House to Pandit Lakshmi Kanta Maitra's starred question No. 80 on the 5th February, 1936.

(k) If and when tenders are called for in future, it will be open to Indian companies to tender and their claims will be fully considered.

DISCRIMINATION IN FREIGHTS ON CERTAIN RAILWAYS.

812. ***Seth Govind Das**: Will Government be pleased to state:

- (a) the distance between Howrah and Bombay, as well as between Cawnpore and Bombay respectively, by rail;
- (b) the railway freight charged on cotton from Howrah to Bombay, as also from Bombay to Cawnpore respectively;
- (c) whether the freight on cotton charged from Howrah to Bombay is less than that which is charged from Bombay to Cawnpore;
- (d) the distance from Lyallpur to Cawnpore by rail;
- (e) the distance between Lyallpur and Benares by rail;
- (f) whether it is a fact that the railway freight charged on cotton from Lyallpur to Cawnpore is nearly double that charged to Bombay;
- (g) whether the freight charged on cotton from Lyallpur to Benares is nearly two-thirds of that at which it is conveyed to Cawnpore;
- (h) if so, the principle behind the discrimination in freights irrespective of distances;
- (i) whether it is a fact that freights charged on bones, tobacco and many other articles on the East Indian Railway are generally higher than on many foreign railways?

The Honourable Sir Muhammad Zafrullah Khan (a) 1,221 and 839.

(b) Re. 1-8-0 and Rs. 2-3-8.

(c) Yes.

(d) 659 miles.

(e) 837 miles.

(f) No. The rate to Cawnpore is Rs. 2-0-6 and to Bombay Rs. 3-3-5.

(g) No. The rate to Benares Cantonment is Rs. 2-9-5 and to Cawnpore Rs. 2-0 6.

(h) While distance is an important factor in determining the rate charged, there are other considerations which also have a material bearing on the actual quotations.

(i) No. On the contrary, the scale of rates on the East Indian Railway for many commodities is, if anything, generally lower than on many other railways.

Seth Govind Das: What are the other considerations which compel the Government to discriminate these rates?

The Honourable Sir Muhammad Zafrullah Khan: For one thing, there is the sea route competition.

Seth Govind Das: Are Government aware that, on account of this discrimination in freights, there is difficulty in inter-provincial trade?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will mention any specific cases over which the difficulty arises, I might consider it, but it is difficult to answer a general question like that.

DIFFERENT INTERPRETATIONS OF THE SECTIONS OF THE INDIAN TARIFF ACT.

813. ***Seth Govind Das:** Will Government be pleased to state:-

- (a) whether they are aware that the Collectors of Customs in different provinces and ports interpret sections of the Tariff Act in different ways, thereby giving rise to the imposition of different duties on the same category of goods;
- (b) whether, to avoid this anomaly, they are devising ways and means; if so, what they are?

Mr. A. H. Lloyd: Articles which are not specifically mentioned in the tariff may appear to fall under more than one of the tariff heads and in consequence may be assessed differently at different ports. Such cases, however, are not of frequent occurrence and when they are brought to notice a ruling is given by the Central Board of Revenue.

PRIVILEGES OF THE STOREKEEPERS IN THE ALAMBAGH CARRIAGE AND WAGON SHOPS, LUCKNOW.

814. ***Mr. Muhammad Azhar Ali:** Is it a fact that the Store Keepers in the Loco. Shops, Charbagh, Lucknow, enjoy clerical grades with attendant privileges, while those in the Carriage and Wagon Shops Alambagh, Lucknow, are fixed on daily rates of pay? If so, why? Is it a fact that both the shops work under one and the same authority in the same locality and under the same conditions and with the same amount of responsibility?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration which are within the power of the Agent to decide.

Mr. Muhammad Azhar Ali: Does not the Honourable Member think that it is rather a hardship, the circumstances being what they are?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir, I do not think so. I have no reason to think that there is a hardship because, if there were any hardship, it would have been brought to the notice of the Agent and received due attention.

Mr. Muhammad Azhar Ali: The conditions being the same, does not the Honourable Member think that he might make inquiries into this matter?

The Honourable Sir Muhammad Zafrullah Khan: I have already said I do not propose to inquire.

CONGESTION OF THE BREAK-UP YARD IN THE ALAMBAGH CARRIAGE AND
WAGON SHOPS, LUCKNOW.

815. ***Mr. Muhammad Azhar Ali:** (a) Is it a fact that the break up yard in Carriage and Wagon Shops, Alambagh, Lucknow, is too much congested and that space as allotted to each workman under the Factory Act is not provided, with the result that accidents very frequently occur?

(b) Will Government be pleased to lay on the table a statement showing the following information:—

(i) Staff as existed in the break up yard on 1st April, 1935, and 1st November, 1935, respectively;

(ii) wagons stabled each week during the seven months. *i.e.*, from 1st April, 1935, to 31st October, 1935, and broken in the break up yard;

(iii) space provided with shelter in the break up yard;

(iv) total space in the break up yard, excluding the Stores Reclaim yard;

(v) accidents, with descriptions, that occurred in the break up yard, from 1st April, 1935 to 31st October, 1935, whether (1) simple, (2) serious, (3) fatal, (4) slight, *i.e.*, when employees were returned to duty within 48 hours, (5) total amount paid due to hurt on duty, (6) amount still to be paid, (7) total amount of compensation paid due to serious injuries according to the Act, and (8) the amount still to be paid?

(c) Are Government prepared to advise the Chief Inspector of Factories, United Provinces, Cawnpore, to visit the place and assure himself that the Factory Act is being complied with in the Carriage and Wagon Shops, Alambagh, Lucknow?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) I am placing a statement on the table.

(c) The Chief Inspector of Factories inspected the workshops in November, 1935, and, I understand, was satisfied with the position generally. He also commented favourably on the measures that had been adopted to prevent accidents.

Statement.

- (i) 1st April, 1935 148
 1st November, 1935 246
 (ii) No wagons were stabled. The number broken up was as follows :

| Week ending (1935). | No. | Week ending (1935). | No. | Week ending (1935). | No. |
|------------------------|------|------------------------|------|--------------------------|-----|
| 6th April | 5 | 15th June | Nil. | 24th August | 22 |
| 13th April | Nil. | 22nd June | 5 | 31st August | 61 |
| 20th April | 4 | 29th June | 8 | 7th September | 9 |
| 27th April | 8 | 6th July | Nil | 14th September | 16 |
| 4th May | Nil. | 13th July | 11 | 21st September | 6 |
| 11th May | 7 | 20th July | 21 | 28th September | 18 |
| 18th May | 6 | 27th July | 30 | 5th October | Nil |
| 25th May | 16 | 3rd August | Nil. | 12th October | 6 |
| 1st June | Nil. | 10th August | 43 | 19th October | 15 |
| 8th June | 6 | 17th August | Nil. | 31st October | 6 |

(iii) 194 feet by 68½ feet.

(iv) The total ground area, including the sheltered space, is approximately 25,000 sq. feet.

| | |
|---|---------|
| (v) Simple | 8 |
| Serious | 1 |
| Fatal | Nil. |
| Slight | 43 |
| The total amount paid due to hurt on duty | Rs. 267 |
| The total amount still to be paid | Nil. |
| The total amount of compensation paid | Rs. 387 |
| The total amount of compensation still to be paid | Rs. 592 |

SUPPLY OF MILK TO THE DETENUS AT DEOLI.

816. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to make an enquiry and state what the arrangement is for the supply of milk for the detenues at Deoli?

(b) Is it a fact that no fresh milk is available at Deoli, but stale milk is supplied, which is injurious to the health of the detenues?

The Honourable Sir Henry Craik: With your permission, Sir, I propose to give one reply to questions Nos. 816, 817 and 818.

Inquiries have been made and a reply will be furnished to the Honourable Member in due course.

DETENUS SUFFERING FROM TUBERCULOSIS AT DEOLI.

†817. ***Mr. Amarendra Nath Chattopadhyaya:** (a) How many detenues, now detained, at Deoli are suffering from tuberculosis?

(b) Is it a fact that the T. B. patients at Deoli have not been segregated from other detenues?

(c) What arrangements have Government made for the treatment of detenues suffering from T. B. at Deoli?

†For answer to this question, see answer to question No. 816.

FACILITIES FOR TREATMENT OF DETENU ALOKENATH CHAKRAVARTI.

†818. ***Mr. Amarendra Nath Chattopadhyaya:** (a) When was Mr. Alokenath Chakravarti sent to Deoli Detention Camp?

(b) Is it a fact that at the time of his arrest, he was suffering from stiff neck, which resulted in the displacement of his neck muscle and shoulder muscles?

(c) What treatment is he getting for this disease, and what is his present state of health?

(d) Is he still in the Ajmere Hospital? If not, when was he removed and was it after his recovery?

(e) Is it a fact that Mr. Alokenath Chakravarti was under the treatment of Dr. Ajit K. Bose, the X-ray expert of Calcutta, and that the treatment was continued by correspondence even after his arrest? Has the treatment been stopped now?

(f) Are Government prepared to consider the question of providing him facilities for electric treatment with Dr. Ghose or any other expert?

EXTENSIONS GRANTED TO THE COMMISSIONERS OF INCOME-TAX OF BOMBAY AND BIHAR AND ORISSA.

819. ***Sardar Mangal Singh:** (a) Is it not the declared policy of Government that extensions should not be granted to officers who have put in more than 30 years' service by virtue of superannuation?

(b) Is it not a fact that the present Commissioners of Income-tax of Bombay and Bihar and Orissa, who have put in more than 30 years' service and have also attained the age of superannuation, are on extension?

(c) Are Government aware that this variance between profession and practice has caused grave injustice to many a deserving officer in the Income-tax Department and serious disparagement to many more?

(d) Are Government prepared to terminate this state of affairs by withdrawing the extensions forthwith and by observing a consistent policy in future?

The Honourable Sir James Grigg: (a) No.

(b) Yes.

(c) and (d). I certainly am not prepared to give any sort of promise not to grant extensions of service in cases where it seems to me to be necessary in the public interest. Nor can I admit that in acting in the public interest we are doing injustice to any individual. So far as I know, no public servant has a prescriptive right of promotion to a particular post.

Mr. S. Satyamurti: With reference to the answer to clause (a) of the question, may I know whether Government have come to any conclusion that extensions may be granted to officers, even after they have attained thirty years' service?

†For answer to this question, see answer to question No. 816.

The Honourable Sir James Grigg: The rule refers to fifty-five years of age and not thirty years' service.

Mr. S. Satyamurti: Will Government consider the suggestion, in view of the considerations put down in this question with regard to the need for encouraging promotions and for mitigating to some extent the grave unemployment in the country, that they may make a rule that after thirty years a man should be compulsorily retired, save and except in the imperative interests of the public service in any individual case, where his services ought to be retained?

The Honourable Sir James Grigg: That virtually amounts to the substitution of fifty-five years for the existing rule; and I want to make it quite clear that, where I do think it is in the interests of the public service, I will give extensions whatever the consequences of that may be to the people below.

PROHIBITORY ORDERS IN CONNECTION WITH THE CONGRESS JUBILEE CELEBRATIONS.

820. ***Mr. Mohan Lal Saksena:** (a) Are Government aware that certain Provincial Governments had issued prohibitory orders in connection with the Golden Jubilee celebrations of the Congress?

(b) Did Government issue any instructions regarding the policy to be followed by the various Local Governments towards Jubilee celebrations? If so, will Government lay on the table a copy of those instructions?

The Honourable Sir Henry Craik: (a) No prohibitory orders were issued by Provincial Governments, unless the Honourable Member construes as "prohibitory orders" instructions which were issued by certain Provincial Governments to the effect that it was improper for local bodies to identify themselves with the aims of a single political party, and that it was undesirable and in some cases illegal for local bodies to expend the taxpayer's money on celebrations in honour of a political party.

(b) Local Governments were given a free hand to take such action as they considered necessary to deal with breaches of the law, if any occurred during the Congress Jubilee celebrations.

Mr. Sri Prakasa: Are Government aware that a gentleman, on the morning of the Congress Golden Jubilee Day, was arrested at Amroha (district Moradabad) and shut up for a whole day in a slaughter house, not even in a police station because he was starting a *Prabhat Pheri* procession?

The Honourable Sir Henry Craik: No, Sir.

Mr. Satyamurti: With regard to clause (b) of the question, may I know if, to the knowledge of the Government of India, any breaches of the law occurred anywhere in the country, in connection with the Congress Golden Jubilee celebrations?

The Honourable Sir Henry Craik: There was a serious breach of the law in Calcutta.

Dr. G. V. Deshmukh: Is the Honourable Member aware that, in the Poona district and in the Ahmednagar district of the Bombay Presidency, several men and boys were arrested, the Congress flags were taken down and the placards were put down in connection with the Congress Jubilee celebrations?

The Honourable Sir Henry Craik: No, Sir.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that, in several parts of Bengal, processions were banned and that the police interfered with the celebrations of the Golden Jubilee of the Indian National Congress?

The Honourable Sir Henry Craik: No, Sir, though I am aware of allegations being made.

Mr. Ram Narayan Singh: Is the Honourable Member aware that, in the district of Manbhum in the Province of Bihar and Orissa, great atrocities were committed by the police in connection with the Congress Jubilee celebrations?

The Honourable Sir Henry Craik: I am aware that allegations to that effect were made, but investigation proved that they were without any foundation whatever.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that, in the district of Comilla in Bengal, in Chittagong and in other places, the police actively interfered with the Congress Golden Jubilee celebrations?

The Honourable Sir Henry Craik: No, Sir.

PERSONS REFUSED PASSPORTS FOR FOREIGN COUNTRIES.

821. ***Mr. Mohan Lal Saksena:** (a) Will Government be pleased to lay on the table a list of all persons who were refused passports for going to foreign countries during the last two years?

(b) Will Government be pleased to state how many of them had applied for passports for reasons of health?

The Honourable Sir Henry Craik: (a) and (b). The information is being collected and will be laid on the table in due course.

CONFIDENTIAL INSTRUCTIONS REGARDING GRANT OF PASSPORTS.

822. ***Mr. Mohan Lal Saksena:** Will Government be pleased to state whether they have issued any confidential instructions to Local Governments regarding grant of passports? If so, under what law?

The Honourable Sir Henry Craik: I would invite the Honourable Member's attention to the replies given by me on the 20th September, last to his question No. 557 and the supplementary questions. The instructions are not statutory, but executive.

REASONS FOR REFUSAL OF PASSPORTS.

823. ***Mr. Mohan Lal Saksena:** Will Government be pleased to state whether it is a fact that while refusing passports, they do not disclose any reasons for the refusal?

The Honourable Sir Henry Craik: Yes.

FINAL AUTHORITY IN THE MATTER OF PASSPORTS.

824. ***Mr. Mohan Lal Saksena:** Will Government be pleased to state which is the final authority in the matter of passports and what remedy, if any, an aggrieved person has in case of even grossly unjustifiable order?

The Honourable Sir Henry Craik: Local Governments and other Passport Issuing authorities in India are competent to grant or refuse a passport and the decision in the matter is generally left to their discretion. An aggrieved person can make a representation to the Government of India.

REASONS FOR NOT ALLOWING MR. SUBHAS CHANDRA BOSE TO VISIT ENGLAND.

825. ***Mr. Mohan Lal Saksena:** (a) Will Government be pleased to state the reasons for which B. Subhash Chandra Bose is not allowed to visit England?

(b) Do similar restrictions exist in regard to his visit to any other European country? If so, which?

(c) Will Government be pleased to state if the aforesaid restrictions have been imposed at their instance, or at the instance of the British Government?

(d) How long will these restrictions remain in force?

The Honourable Sir Henry Craik: (a)---(d). I would invite the Honourable Member's attention to the replies given by me on the 6th and 18th February, to Mr. Satyamurti's and Seth Govind Das' questions Nos. 101 and 542, respectively, and to the supplementaries to the former question. The new passport referred to in the reply to question No. 542 has, I understand, been endorsed for all countries in Europe, except Great Britain.

REFUSAL OF PASSPORT TO MR. SAIGAL, FORMERLY PROPRIETOR OF THE CHAND PRESS, ALLAHABAD.

826. ***Mr. Mohan Lal Saksena:** Is it a fact that Mr. Saigal, formerly the proprietor of the Chand Press, Allahabad, has been refused passports several times? If so, will Government be pleased to state the reasons for doing so?

The Honourable Sir Henry Craik: Mr. Saigal has applied for passport facilities on three occasions so far as I am aware. Such facilities were refused by the Local Government in view of his past activities and since it was considered undesirable, in view of his record, to permit him to go abroad.

Mr. Sri Prakasa: Is it not the purpose of a passport to afford protection to a national travelling abroad, or can the right of granting or rejecting a passport be used to punish a man whom Government do not like?

The Honourable Sir Henry Craik: The object of a passport is to invite the representatives of His Majesty's Government abroad to give protection to their nationals, and no person can claim a passport as of right. A passport is a privilege.

Mr. Sri Prakasa: Why is the right to grant of a passport used for penal purposes in India?

The Honourable Sir Henry Craik: It is not used for penal purposes; a passport is occasionally refused to a person whose presence abroad is considered a danger to the realm.

An Honourable Member: So he is a danger to the realm!

Mr. Sri Prakasa: Is not a person refused a passport simply because Government do not like his political activities, and does not that mean that it is used for penal purposes?

The Honourable Sir Henry Craik: I suggest that that question contains an argument and an innuendo.

Mr. S. Satyamurti: What are the considerations on which Government come to the conclusion that particular persons are a danger to the realm in foreign countries?

The Honourable Sir Henry Craik: On a consideration of their past record and activities.

Mr. Sri Prakasa: What realm? The realm of India or the realm of the place in which the man is travelling? Danger to what realm?

The Honourable Sir Henry Craik: His Majesty's empire.

Mr. Sri Prakasa: And not to Italy, for instance? Do Government consider that the presence of a person, who has been refused a passport to Italy, would be a danger to Italy, or does his presence there constitute a danger to the British Empire?

The Honourable Sir Henry Craik: Danger to the British Empire.

MOTION FOR ADJOURNMENT.

REFLECTIONS BY THE HONOURABLE THE FINANCE MEMBER ON THE MEMBERS OF THE HOUSE WITH REGARD TO CERTAIN QUESTIONS ADMITTED BY THE HONOURABLE THE PRESIDENT.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment of the House from
12 NOON. Sardar Sant Singh. He wants to discuss a definite matter of urgent public importance, namely, the action of the Honourable the Finance Member taking advantage of the question time yesterday in the House in his answers, in casting reflections on the Members of the

House with regard to certain questions admitted by the Honourable the President thereby intending to deprive Members of their right to put questions in conformity with the Standing Orders and Rules of the House subject only to disallowance by the President.

I wish to know from the Honourable Member, Sardar Sant Singh, as to whether the Honourable the Finance Member refused to answer any question or whether he only cast any reflection on certain Members of the House. Does the Honourable Member complain that the Honourable the Finance Member refused to answer questions put in the House?

Sardar Sant Singh (West Punjab: Sikh): Not that he refused to answer the question, but that he utilised the time which was meant to give information to Honourable Members on the questions asked, in reading out some sermon to his own Department and calling some names . .

Mr. President (The Honourable Sir Abdur Rahim): I should like to know the exact words in the answers which he is complaining against.

Sardar Sant Singh: May I draw your attention to question No. 771 on the paper before the House today. In answering parts (b) and (c) of question No. 771, the Honourable the Finance Member said.

"No cases have been brought to my notice, except those mentioned in this question, and, in my view, the Deputy Secretary in those cases did not use language of the nature suggested. In fact the suggestion contained in part (c) of the question is a misrepresentation of what occurred."

On an enquiry being made by my Honourable friend, Mr. Sham Lal, as to what was it that actually happened and what was the misrepresentation . . .

Mr. President (The Honourable Sir Abdur Rahim): What is the Honourable Member's complaint in the answer to parts (b) and (c)?

Sardar Sant Singh: I am coming to that point, Sir. To the question of Mr. Sham Lal as to what actually happened and what is the misrepresentation, the reply of the Honourable the Finance Member was:

"The Honourable Member had better go and find that out from where he got his last information."

Then, in answer to parts (e) and (f) of the same question, this is the reply of the Honourable the Finance Member:

"The suggestion made in these two parts is a most gross misrepresentation of what actually occurred. But in any case I may point out that the disclosure to outsiders of the contents of official files is a gross breach of the Conduct Rules."

Mr. President (The Honourable Sir Abdur Rahim): What is the complaint of the Honourable Member against this answer?

Sardar Sant Singh: I am taking you, Sir, step by step. The objectionable matter comes down below in answer to parts (h), (i) and (j):

"I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints

[Sardar Sant Singh.]

from subordinate Government servants. In so far as I am personally concerned, I propose to record a censure on the documents of all officers serving in my Department who ventilate their grievances in this way. In suitable cases, I shall take even stronger action. In my view one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants."

This is the portion I object.

My objection is based on these facts. According to rule 8 (1) of the Indian Legislative Rules, it is laid down:

"A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognisance of the Member to whom it is addressed."

The Honourable Sir James Grigg (Finance Member): Special cognisance.

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): The Honourable Member's case is bad enough; let him not make it worse.

Sardar Sant Singh: Again, Sir, in rule 7 of the Indian Legislative Rules, it is laid down:

"The President may, within the period of notice, disallow any question or any part of a question on the ground that it relates to a matter which is not primarily the concern of the Governor General in Council, and if he does so, the question or part of the question shall not be placed on the list of questions"

Then, Sir, there is a proviso to Rule 8 which restricts the rights of Honourable Members of this House in asking questions. My point is, that the power of disallowing questions vests in the Honourable the President and the President alone. As soon as a question has been admitted by the Honourable the President, it becomes the duty of the Honourable Members on the Treasury Benches to give a reply if they care to do so. I know, Sir, that nobody can compel the Honourable Members on the Treasury Benches to reply to any question, but the remedy lies in the hands of Honourable Members of this House to censure the Government if they refuse to reply or if their reply is not considered satisfactory by the House, by moving the adjournment of the House.

Mr. President (The Honourable Sir Abdur Rahim): Do you concede that it is open to any Member of the Government not to reply to any question?

Sardar Sant Singh: Quite.

Mr. President (The Honourable Sir Abdur Rahim): If that is so, can they give any reason for not answering a question.

Sardar Sant Singh: For refusing to answer a question, no. As the rules prohibit asking for opinion, similarly, on their side, the Government are barred from entering into any question in replying which is not strictly relevant to the question asking for information. Here two things have

been done. One is that the Honourable the Finance Member has preached a sermon to his own Department which was not his function, and that information was not asked for by any Honourable Member of this House. The second was that he preached a sermon to the Honourable Members of this House and charged them with a habit of asking questions which are not based upon facts. These two charges in reply to individual questions are in my opinion very improper, and, unless amends are made to this House, I think I am entitled to move this motion in the interest of protecting the rights and,—if I may use the word,—the privileges of the Members of this House.

Mr. M. Asaf Ali (Delhi: General): Sir, may I just add a word about it? I think we may look at it from another point of view also. The answer of the Honourable Member was not merely a reflection on the Members of this House, but also on the Chair.

The Honourable Sir James Grigg: That is for the Chair to look after, not you.

Mr. S. Satyamurti: It is our right; he is our President, not yours alone.

Mr. M. Asaf Ali: It is definitely a reflection on the Members of this House and on the Chair. It is a reflection on the Chair inasmuch as the Honourable Member suggested that the President was guilty of allowing a question which was improper and which ought not to have been allowed.

Mr. President (The Honourable Sir Abdur Rahim): Has he said that? That is what I want to know.

Mr. M. Asaf Ali: He says in so many words that Honourable Members are in the habit of raising improper questions and the Chair is allowing those questions. I think this is a matter which is of very serious importance to this House, and we must enter a strong protest against it.

The Honourable Sir James Grigg: Sir, of course, I need not say that if there was in anything which I said yesterday any reflection upon the Chair, that I unhesitatingly withdraw but I deny

Mr. S. Satyamurti: Why "if"?

The Honourable Sir James Grigg: Because I deny that there was any reflection on the Chair at all. Let me read from a ruling of a previous President when a precisely similar question was raised in regard to questions of this malicious character. I quote from page 357 of the Selection from Decisions where the President said :

"A more proper way of drawing attention of this House to the working of any Department is to move a resolution in that Department demand or to move a Resolution. I observe from the supplementary questions that have been asked that there is a certain amount of feeling in the House regarding the Honourable Member's questions. I may say I considered the matter very carefully before admitting any of these questions as to whether they were matters of public concern. I gave the Honourable Member the benefit of the doubt. I would, however, add that I hope every Member of this House, when he proceeds to ask questions about individuals, will exercise more than usual caution in not casting a reflection upon individuals unless he is very sure of his ground."

[Sir James Grigg.]

In other words, the President has placed upon the Members of this House themselves the onus of satisfying themselves as to the truth of their allegations. And, therefore, if I complain, that certain allegations made in this House are misrepresentations, I am not casting any reflections upon the President but upon the Member who made the misrepresentations. That is the only point which appears to be raised by my Honourable friend that I am making reflections upon you.

Mr. President (The Honourable Sir Abdur Rahim): That is one point; the other is that reflections were made on the House.

The Honourable Sir James Grigg: Yes, Sir, let me go on. In answer to parts (b) and (c) my reply was:

"No cases have been brought to my notice except those mentioned in this question, and, in my view, the Deputy Secretary in those cases did not use language of the nature suggested. In fact the suggestion contained in part (c) of the question is a misrepresentation of what occurred."

Part (c) of the question purports to be a quotation or at any rate a summary of what is contained in an official file. How did the Honourable Member get access to that official file? Will he answer me that?

Mr. S. Satyamurti: Why should he?

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): How do you get access to our letters?

The Honourable Sir James Grigg: How did the Honourable Member get access to that file? It could only have been disclosed to him by the civil servant on whose behalf

Mr. S. Satyamurti: Sir, I rise on a point of order. I thought you were asking the Honourable the Finance Member to answer the points raised by my Honourable friend, the Mover of this adjournment motion. He is only using this opportunity to repeat the offence again, and asking the Honourable Member as to how he got it. I submit that this is not the occasion for him to go into that, but he is only to answer the questions raised in this motion; and he must, therefore, be asked to confine himself to the scope of the discussion now.

Mr. President (The Honourable Sir Abdur Rahim): I take it, the Honourable Member will confine himself to answering the question I put to him as regards the statement that this answer contained a reflection on some Honourable Members who put questions.

The Honourable Sir James Grigg: If what I said yesterday is a reflection upon Honourable Members, I stick to it; and let me read out a previous case on which there was no fuss like this at all. (*Cries of "Shame, shame."*)

Mr. President (The Honourable Sir Abdur Rahim): Order. order It is not a Parliamentary expression, and I must ask Honourable Members not to indulge in it. It is only fair that Honourable Members should listen to what the Honourable the Finance Member has got to say in explanation of what he meant to say yesterday.

Mr. S. Satyamurti: Sir, I may submit that he is not explaining; he is repeating the offence.

Mr. President (The Honourable Sir Abdur Rahim): He is trying to give his explanation and it is only right that Honourable Members should listen to his explanation.

The Honourable Sir James Grigg: Here is a quotation from an answer to a series of questions put by an Honourable Member of this House. The answer was given by one of my colleagues. About a dozen questions containing numerous allegations were put down of which I think about eight were disallowed and four were answered

"With your permission I propose to answer questions Nos. 323, 329, 330 and 332 together (*vide* Legislative Assembly Debate, page 3376 of 7th April, 1934.) These contain a number of assertions of misconduct on the part of a particular officer, some of the assertions relating to alleged instances several years ago. Government have no information on any of the points raised but as two of the assertions were particularly specific and gave dates and details, these have been investigated. The result of the inquiries into the allegations in parts (d) and (e) of question No. 329 shows that they are without foundation."

Then, there is further material to show how they are without foundation.

"In the circumstances, Government do not propose to pursue the other allegations, unless the Honourable Member is prepared to produce the evidence on the basis of which he has made himself responsible for the assertions."

Not a word was said about insulting the House or that Honourable Member, either by himself or by any one else. And it seems to me that a mere statement that some Honourable Members have put forward allegations which are untrue is no reflection upon the House but only upon those Members who do it.

Mr. President (The Honourable Sir Abdur Rahim): A suggestion was made by Sardar Sant Singh who wants to move this motion that one of the answers of the Honourable the Finance Member, to a question put to him yesterday, was a reflection on the ruling of the Chair in this matter that is to say, admitting the question itself. So far as that is concerned, the Honourable the Finance Member has said that he did not mean to pass any such reflection on the Chair, and I accept that explanation. As regards the other allegation that in one of his answers he meant to cast a reflection on some Honourable Member of the House in saying that he was giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants, I do think that, since his answer has been construed by some of the Honourable Members as a reflection on them, perhaps the Honourable the Finance Member will consider whether some explanation is not due to the Members who take that view.

The Honourable Sir James Grigg: For my guidance, I would like to know which Honourable Member you would wish me to make an explanation to.

Mr. President (The Honourable Sir Abdur Rahim): I simply wanted to know whether the Honourable Member really meant to cast any reflection on any Member of this House.

The Honourable Sir James Grigg: Here is a question which could only have been asked either if the Honourable Member had access to an official file or if an individual Government servant who had access to that official file had given him the information. The questions refer specifically to certain contents of official files. Surely, Sir, I am entitled to say that that information must have been obtained by improper means—either improper on the Honourable Member's part or improper on the part of those who gave him the information.

Mr. Sri Prakasa: The objection is to the words "habit of some Honourable Members to ask such questions".

The Honourable Sir James Grigg: I can give other instances, if necessary.

Mr. President (The Honourable Sir Abdur Rahim): If that is the attitude of the Honourable Member on the point, I think the matter will have to be discussed. (Hear, hear and Applause.) It will be taken up at 4 o'clock.

The Honourable Sir James Grigg: May I ask whether the question is to be discussed on the purely narrow basis of the allegation made against some Honourable Member?

Mr. President (The Honourable Sir Abdur Rahim): Yes, certainly, with reference to this sentence.

"I should like to take this opportunity of protesting against the habit of some Honourable Members . . ."

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadian Rural): And the very last sentence of the statement. . . .

Mr. President (The Honourable Sir Abdur Rahim). He has disclaimed any reflection.

Mr. Bhulabhai J. Desai: This is the sentence.

"In suitable cases, I should take even stronger action. In my view one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants."

That is about the worst reflection that can ever be made on any House.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): I would also like to invite your attention to this sentence:

"In so far as I personally am concerned, I propose to record a censure on the documents of all officers serving in my Department who ventilate their grievances in this way."

Mr President (The Honourable Sir Abdur Rahim): That is within his rights

Pandit Govind Ballabh Pant: The President will perhaps be pleased to see my point of view. What I am submitting is this. This is a breach of privilege of this House. It is open to a Member to put any question under the rules. Under the rules, it is open to me to put a question in this House with a view to inviting the attention of Government to the grievance of any individual Government servant.

Mr. President (The Honourable Sir Abdur Rahim): I have considered that.

Pandit Govind Ballabh Pant: My submission is this. By this threat you prevent the people concerned from exercising the right which they possess under the law and me from putting questions which under the law and the rules, as they exist today, and which have been framed for this purpose, entitle me to do. I submit it is a question of breach of privilege and we must be allowed to discuss it.

Mr. President (The Honourable Sir Abdur Rahim): I think it is perfectly clear to me that if any officer disclosed information, which he is not entitled to disclose,

Pandit Govind Ballabh Pant: It is not that. The sentence is:

"In so far as I personally am concerned, I propose to record a censure on the documents of all officers serving in my Department who ventilate their grievances in this way."

Not on the documents of those who disclosed the contents of documents, but of those who seek the assistance of Members of the House for the ventilation of their grievances.

Mr. President (The Honourable Sir Abdur Rahim): I have given my ruling. The motion will be discussed on the two points already mentioned.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Bill to regulate the payment of wages to certain classes of persons employed in industry, which was passed by the Legislative Assembly at its meeting held on Friday, the 14th February, 1936, was passed by the Council of State at its meeting held on the 24th February, 1936, with the following amendments, namely:

1. In the proviso to sub-clause (2) of clause 9, for the words in brackets the following words were substituted, namely:

'that is to say, without giving the notice which is required under the terms of their contracts of employment.'

2. In the proviso to sub-clause (2) of clause 9, for the figures '13' the word 'eight' was substituted.

3. In the proviso to sub-clause (2) of clause 9, the words 'contract or' were omitted.

The Council of State requests the concurrence of the Legislative Assembly in the amendments."

Sir, I lay on the table the Bill, as amended by the Council of State.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 1—RAILWAY BOARD—*contd.*

Stores Purchase Policy—contd.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I was speaking on the Standardization Department. So far as it relates to purchase of stores, I am not against either central purchase of stores or standardization as such, but, unfortunately, placed as we are, all these good institutions sometimes go against us.

Mr. President (The Honourable Sir Abdur Rahim): There is another motion which is to begin at 12-30. The Chair does not think it is any use the Honourable Member proceeding further, but he can go on till 12-30.

Pandit Nilakantha Das: I am beginning at 12-30.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Is it 12-40 or 12-30? If it is 12-30, the Honourable Member won't proceed further.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has 12-30 as the time for the Congress Nationalists to move their motion.

Grievances of Third Class Passengers.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I move:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100.”

I move this motion in order to discuss the grievances of third class passengers. This question has practically become a hardy annual. This matter is being discussed year in and year out for so many years—the very old grievance of the third class passengers. I find one difficulty in presenting the case of third class passengers: a difficulty which, as a lawyer, I have always felt in arguing a case which is so good that there is hardly anything for discussion, a case in which the other side almost confesses judgment: that is a case which it is very difficult to argue. There is one other difficulty in discussing this matter, and that is the difficulty that this is a thrice told tale. There is hardly anything on this question which I can add profitably and without being guilty of repetition. I find that even in 1908, Sir Thomas Robertson, Special Railway Commissioner, who was asked to go into the question very carefully, discussed the long-standing grievances of third class passengers and he recommended that special measures must be adopted to redress those grievances. Then, I find that in 1916, the Sanitary Commissioner to the Government of India, in submitting the reports of the Pilgrim Committees, made these remarks:

“The Government of India can hardly be aware of the amount of ill-feeling and ill-will towards themselves that these two conditions [*viz.*, (1) overcrowding of ordinary trains and pilgrim specials, and (2) the use of goods wagons to carry pilgrims] engender.”

Then, there was the Railway Committee of 1920-21. There, again, it was said:

"The view has been urged upon us that the third class passengers suffer relatively more than other users of the railways from the lack of adequate facilities, and that, though they contribute by far the greater part of the coaching earnings and nearly one-third of the entire railway revenue, their requirements have received less attention than those of the organised traders and more vocal classes of passengers. There is a strong feeling on the part of the Indian public that the improvement of the conditions under which the mass of the passengers travel has a priority claim."

This strong feeling has existed for so many years, and so far as this Legislature is concerned that feeling is being given expression to year after year for so many years; but I do not know how far we are within reach of the solution of this problem.

I am anxious to say one thing about these third class passengers and that is this: that it is these third class passengers who are really the masters and patrons of the railway administration. *Man* these third class passengers the railway administration is reduced to nil. There is nothing left. So far as the passenger traffic is concerned, it is the third class passengers who contribute the largest revenue. If we are to consider the matter, there are two tests: first is the test of numbers, and then the test of the amount of earnings. So far as earnings go, I find that the earnings in 1934-35, from third class passengers, is about nine times the income from the first, second and intermediate class passengers, all put together—I do not give the figures because it will take time. Similarly, I find that as regards the number of passengers, the number of third class passengers is thirty times the number of all the other classes put together. If we adopt another test, that is, as regards the expenses incurred for third class seats and for first and second class seats, the figures were given by my Honourable friend, Mr. Joshi, last year and the figures were not controverted: he showed that for each third class seat the amount expended was Rs. 260, while it earned Rs. 240: and for each first class and one and a half second class seat we have to spend Rs. 4,000, and we earn only Rs. 550. That being so it cannot be said that there is any exaggeration when I say that the third class passengers are the patrons and masters, the clients and the real customers of the railway administration. You cannot possibly carry on the railway administration with the first and second class passengers only or, for that matter, with the intermediate class passengers also.

The main grievance of which I complain in this matter is the excessively high rate of fares. The rate is excessive. That is not seriously disputed by the railway administration. In fact we have been told that they want to introduce a reduction and in fact did introduce a reduction in third class fares in some isolated parts of some one or two systems. But the objection raised by the Honourable the Commerce Member last year and repeated yesterday by him is that the experiment of a reduction in the fares of third class passengers has resulted in some loss of revenue, but to that my reply is that the experiment has not been tried for a sufficiently long period. Instead of taking up the time of this House by giving my own views on his matter, may I, Sir place before the House, the considered opinion of Sir Thomas Robertson, the Special Commissioner? This opinion is contained in his Report published in the year 1908. This is what he says at page 71:

"Any reductions of fares and rates must necessarily result in a falling off of revenue in the first instance; but, if the experience of other countries, similar to

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India, may be taken as any guide in this respect, the impetus which the reduced rates will give to travel and commerce will be so great as to throw fresh vigour into the whole business of the country, and to amply repay in a very short time the temporary loss."

Incidentally, I may say that the next paragraph is also very important:

"It may perhaps be properly mentioned here that the rates for coal were generally reduced in August last, the amount of reduction varying with the distance, and it has been suggested that the result has not been very satisfactory. I do not think any argument can be based on this experience as it would be obviously unreasonable to say that a reduction in rates had led to a lower volume of traffic being moved (*as has actually occurred*), and it is well known that the present dullness in the coal trade is due to causes entirely foreign to any reduction of railway rates.

The effect of a change in rates can rarely be judged in the short space of four or five months, but, given a reasonable time for the trial, I feel satisfied that the reductions in fares and rates which my remarks point to will be shown by experience to have been fully justified."

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): Whose Report is that?

Mr. Akhil Chandra Datta: That is the Report of Sir Thomas Robertson, Special Commissioner for Indian Railways. This report was presented to both Houses of Parliament in 1903.

We have been hearing the argument that the result of the experiment of reducing rates and fares has been a net loss to the Railways, and my answer to that is the opinion expressed in this Report by Sir Thomas Robertson. Merely because there has been a loss of revenue, it does not follow necessarily that it was solely and entirely due to a reduction in fares and rates. There are other causes also which have to be reckoned with. There is that obvious cause, namely the depression, there may be other local and temporary causes; but merely because there was some loss in revenue, it cannot be said that that loss has been due entirely to a reduction in fares and rates.

Then, Sir, is revenue the only objective? Because you can earn a larger amount by a higher rate of fare, is that a sufficient justification for raising your fares? If in a certain part of the country where there is no motor traffic or any other kind of power traffic, if railway is the only means of transport in that tract, are you justified in raising the fares merely that the people of the locality will make use of your railways because of the absence of other forms of power transport? I say, Sir, it will not be a sufficient justification for charging high rates by the Railways.

Another point I want to make is this, Sir. I find that the rates and fares for first class passengers are being systematically and gradually reduced since 1923. I cannot speak of any other period, but I have got figures for 1923—1933, and so far as this period is concerned, it appears that the rate of fares of first class passengers has been gradually reduced

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): Where?

Mr. Akhil Chandra Datta: In all the Indian railway systems, during this period, the first class fare has been gradually reduced. The figures are these. So far as the first class passengers are concerned, the rate per mile in the year 1923-24 was 23·4 pies,

In the following year, it was 22 pies,

In the next year, it was 19·10 pies,

In the following year, it was 17 pies,

The year after that 17 pies,

Then it was further reduced to 16·2 pies, 16·4 pies, 17·2 pies, and so on.

With the result from 23·4, it was reduced to 17·2; in other words, there was a reduction of 25 per cent. in the fares of the first class passenger.

Similarly, with regard to second class passengers, we find there was a gradual reduction in fares from 10·50 to 8·82 and on calculation it appears there was a reduction of five per cent. But what about the third class passengers? It was 3·46, and in 1933 it was reduced to only 3·21, and it is not even one per cent. If you will compare, Sir, the fares of the first class passengers with those of the third class passengers, you will find that the fares of first class passengers have been very considerably and appreciably reduced. In 1932-33-34, the first class rate was 23·4, and next year it was reduced to 22, but, during that period, the third class fares, instead of being reduced like the first class fares, were actually enhanced from 3·46 to 3·47. That is the same case in the following years also, so that these figures substantiate my contention.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up. He will have to conclude his speech.

Mr. Akhil Chandra Datta: May I just say a word about the Assam Bengal Railway?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have to conclude. After all, that was the arrangement, and the Chair has only to carry it out.

Mr. Akhil Chandra Datta: Very well, Sir I will conclude. As regards the Assam Bengal Railway particularly, it appears that the rate of third class fare—I can give the figures, they are here before me, but I have not got the time—the rate of third class fare in that railway is about double that on the Eastern Bengal Railway, about double that on the Bengal and North Western Railway, and about double that on the East Indian Railway. I invite the special attention of the Honourable the Railway Member to this. I am sorry I have got no time Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

“That the demand under the head ‘Railway Board’ be reduced by Rs 100.”

Mr. C. N. Muthuranga Mudaliar (South Arcot *cum* Chingleput: Non-Muhammadan Rural). Mr. President, I am glad to have been able to take part in this motion. I shall not detain the House much longer by repeating all the arguments and the grievances ventilated on the floor of this House times without number. Suffice it for me to make out a few points in the matter of the grievances of third class passengers. Sir, in answer to one of my questions the other day, the Honourable the Commerce Member told us that the third class bogie carriages, which have not got latrines, are run only on the smaller lines of railways in the South Indian Railway system. I am indebted to my Honourable friend, Mr. Basanta Kumar Das, for the information that in the South Indian Railway there are only 40 per cent. of the third class carriages which have got latrine accommodation. I do not know if all the remaining 60 per cent. of the carriages can run only on side lines. With regard to this matter, I might narrate my own personal experience. Recently I had been travelling in the South Arcot district in connection with District Board elections. I had one or two occasions to travel third class on the line running from Villupuram to Thiruvannamalai. Every passenger train on that section will take either a whole day or a whole night to cover that section. I had my own experience. When I sought for a latrine for urinal purposes, I could not find one latrine in the whole bogie carriage which is intended to carry 64 passengers. In order to find out if there were other carriages in which there were latrines, I changed at intermediate stations from one carriage to another, but I could not find one in all the carriages that I entered. That is the position, Sir. The time that I travelled there was rainy season and there was a chill wind. Let me also state that the train that I travelled in was full of passengers. I got a seat only through the kind obligation of a fellow passenger. That being the case, do the Government think that these third class carriages, which have not got even a single latrine, could be used even on smaller lines? But the Company-managed Railway cannot be expected to cater to the convenience of third class passengers, and more especially, at the fag end of their contract period, having only six years more left of the contract period—we cannot expect them to cater to the convenience of third class passengers. I urge that such Company-managed Railways should be taken over by the State and the conveniences of third class passengers must be secured thereby.

Last year, when the grievances of the third class passengers were ventilated here, the then Commerce Member promised that the third class carriages would be re-conditioned and new carriages would be put on the lines. But in answer to a question on the floor of this House this year, our present Commerce Member said that it is still under consideration, and I do not know how long it will be under consideration. Last year the Central Railway Advisory Council met and a report of the Council was supplied to us. Therein it was stated that a sample reconditioned carriage was placed at the New Delhi station. My Honourable friends, Messrs. Giri and Sami Vencatachellam Chetty, inspected it and they have suggested some improvements, and still the matter is under consideration. There are two rumours I hear in connection with this matter. It is stated that on account of the present state of the railway finances they have given up the idea of putting the newly constructed ones on the lines. There is another rumour, that these re-conditioned carriages will again be placed at the New Delhi station for inspection

by the members of the Central Railway Advisory Council this year. I do not know whether it is by way of procrastination. Sir, as the grievances of third class passengers are being ventilated in this House year after year, so also I trust that the new conditioned carriages will be placed at the railway station lines just for inspection by the Railway Advisory Council Members year after year. Perhaps this is being delayed on account of the finances. May I ask the Honourable the Commerce Member if they have not found finances for constructing a special ceremonial platform? Cannot that be utilised at least for placing some of the third class carriages on the track? My Honourable friend, Mr. Joshi, used to say that the first and second class passengers are given all the conveniences at the expense of the third class passengers. Similarly, I want to mention in this House with regard to the allotment of passes. I was wondering why these railway officials should be given a number of passes for private travelling on railways: but my greater wonder is, that recently the number of first class passes has been increased enormously for railway officials, whereas intermediate and third class passes have been reduced.

The Honourable Sir Muhammad Zafrullah Khan: The first class passes have been considerably reduced.

Mr. C. N. Muthuranga Mudaliar: I will place my information before the House, I hope the Honourable Member will correct me if I am wrong,—I am informed that formerly all classes of railway officials were given ten passes every year. Now, I am told that the number of first class passes has been increased from ten to fourteen, and ultimately, they are to be given limitless passes for their own convenience.

The Honourable Sir Muhammad Zafrullah Khan: It is the other way about. They used to have passes whenever they applied for them. They are now being restricted considerably.

Mr. C. N. Muthuranga Mudaliar: I have placed the information before the House and I expect the Honourable Member to correct me.
1 P.M. With regard to intermediate and third class passes, I am told, the subordinate officials are given a lesser number of passes now, that is, from ten to six, and I understand it is also under contemplation to reduce it to four. That is the information I received and I expect the Honourable Member to place the correct facts before this House. Sir, I do not want to keep the House on this matter any longer. I wish that the Honourable the Railway Member, who was so solicitous of the interests of the third class passengers during the general discussion of the budget, will attend to these grievances and rectify matters and not delay it longer by keeping it more and more under consideration.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I strongly support this cut motion. It appears to me that this is a most important one in the interests, not only of the poor people but also in the interests, of the agriculturists all over India. The poor people of course belong to many professions but the agricultural classes are always third class passengers and any conveniences or concessions that might be given, even at some sacrifice, ought to be given to them. I had not occasion to criticise the policy of the Railway Budget before this. I do see that this cut

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motion is restricted to the third class passengers' grievances but I do feel that I must, in passing, say a few words with regard to the policy adopted by the new Railway Member. As he is an Indian, we expected and are glad to learn that he goes *in cognito* and sees things for himself but may I ask him whether his policy with regard to fares and freights is a policy which he should have adopted. The Honourable Member in the beginning is following a policy followed by his predecessors, which is not a right policy at all. He will permit me to say that this policy is worse than that of his predecessors and I will justify what I say. The first question now is with regard to the way in which the budget has been framed. Has he not been a party to the inflation of the figures which was usual with his predecessors? They have kept us on hopes all along and so is the Honourable the Railway Member now doing. He has increased the expected receipts and then he says that times are coming when everything will be all right. This is how we have been lulled all along. We expect the Honourable the Commerce Member to turn a new leaf and to give the third class passengers' grievances his best consideration. Now, I will come to the point.

The Honourable Sir Muhammad Zafrullah Khan: I am glad the Honourable Member recognises that he has been off the point so far.

Mr. Lalchand Navalrai: No. I will explain my point without taking any more time. I ask what was the policy of his predecessor with regard to these third class fares? Was it or was it not that he reduced them? Can the Honourable Member give any facts and figures to say why on the North Western Railway he joined hands with the Agent in increasing the fares which had been reduced by his predecessor? There has been no justification, whatsoever, for it. This question came up before the Advisory Committee in Karachi. When any questions are put, for instance about construction of a bridge as was done the other day, we are told that the matter could come up before the Local Advisory Committee for consideration or that it is the business of the Agent and that the papers were being forwarded to the Agent. It is that Advisory Committee which is being flouted and here is a telegram with regard to the third class passengers. I have received a telegram from a responsible man, the Secretary of the Buyers and Shippers Association, Karachi. He says:

"The Committee of the Buyers and Shippers Chamber emphatically protest against the ½ pie increase per mile in third class fares on the North Western Railway for distances between 51 and 300 miles. Highly regrettable Enhancement made (*this is important*) despite unanimous recommendation of Karachi Railway Advisory Committee against the same."

Was it not brought to the notice of this House by Sir Ghulam Hussain Hidayatallah that this committee is composed of representatives of agriculture, of zemindars trading class and general public? We have seen the reply given by the Agent to at least one of the Members, Khan Bahadur Khubro. The reply is "we have made up our mind to raise the freight on wheat". The Honourable the Railway Member, who was the predecessor of the present Railway Member, did not give full consideration to this question. He realised the amount of agitation, but yet came to the conclusion, without any reasons, I should say, to reduce the railway freight for Punjab. This policy is being followed. The second point

affects the agriculturists and the lower people who are affected by the third class fares. The Honourable Member completely forgets the existence of the motor bus competition and becomes a party to the increase of the fare and freight. The point has been brought fully to the notice of the Agent and yet he does not help the poor people. The freight is being increased only in Sind and that is with the idea of diverting the wheat trade from Sind to other places.

The Honourable Sir Muhammad Zafrullah Khan: Will the Honourable Member explain the idea of diverting wheat from Sind to other places?

Mr. Lalchand Navalrai: I come to that. I say that wheat that used to come from the Punjab and other places used to come to Karachi. Now, when it came to Karachi, it was being sold there and also being sent away to other places through the port. This practice used to go on for a long time. Therefore, the Port Trust was getting good profit from this and the wheat trade thrived in Sind. Now, the railway by diverting Punjab goods from there and granting cheaper rates to Punjab from Lyallpur and other places so that the goods may go to Madras, Bombay and Calcutta, thereby increase its own freight revenue. In the first place it was not fair to do that. The vested interests of Karachi of dealing through the port should not have been interfered with, but may I not also ask the question whether on that account other railways are earning more than the North Western Railway or no? For instance, the Jodhpur Railway is earning more, the other railways that are Company-managed are earning more, and thus the North Western Railway is suffering. Now I will give you a further instance of the decrease in the income that the North Western Railway will have. As regards wheat, it has been decided that within four hundred miles in Sind section of the North Western Railway the freight on wheat be raised, and that also by one anna a maund. What will be the consequence? The consequence is that this wheat commodity will not go to Karachi, but it will go from Jodhpur to Bombay.

The Honourable Sir Muhammad Zafrullah Khan: Not a bit.

Mr. Lalchand Navalrai: For this reason that if they send it from Larkana or Rohri to Karachi and then to Bombay, it will cost them more than to send it *via* Jodhpur.

Mr. N. M. Joshi (Nominated Non-Official): What has this to do with third class passengers?

Mr. Lalchand Navalrai: I want to show that in Sind especially these agriculturists who travel by third class will now suffer and pay more for railway freight as well.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is travelling away from the amendment. He must confine himself to third class passengers.

Mr. Lalchand Navalrai: I will put my point very clearly. I am asking the Honourable Member to change his policy, and if he does not change his policy, then he will be affected in the matter of the income of the North Western Railway. Now, Sir, let me say this. The third class fares are being increased, but in this House every Honourable Member has said that if you decrease third class fares for shorter distances, the question of competition of motor services will be solved.

The Honourable Sir Muhammad Zafrullah Khan: The fares have not been increased for short distances, as I explained yesterday. I suppose the Honourable Member was not present yesterday when I made that statement.

Mr. Lalchand Navalrai: I was. I am showing that in fact the fares have been increased. As I said, they have been increased on the North Western Railway within distances of three hundred miles, the point is that in that case people will, as a consequence travel about within these three hundred miles by motor: and how is the Honourable Member going to solve the question of the road motor competition? Therefore, I am submitting that the raising of the third class passenger fares is unjustifiable; and I hope the Honourable Member will not take it ill when I tell him that his policy should be a better policy than that so far pursued by his predecessors; on the contrary I am giving him advice which I hope he will consider well, in the light also of the complaints made by several representatives from Karachi and also by Sir Ghulam Hussain Hidayatallah, and I hope that this question of fare and freight, so far as Sind is concerned, will be reconsidered. Now, Sir, coming to the other grievances, I think the foremost complaint is with regard to the third class carriages.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Lalchand Navalrai: Sir, with regard to these carriages, it is urged that these carriages are still below requirements, and that the new pattern may take a long time to be built and in the meantime, they may say, "we have got no finances". Therefore, I submit that the Honourable Member will give his particular consideration to this cut and I hope that next time when we consider this matter again, we shall find that he has given the matter due consideration and found a way out.

Mr. President (The Honourable Sir Abdur Rahim): The House will now adjourn till Half Past Two of the Clock.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, I rise to support this motion, and, in doing so, I should like to state that unlike many Honourable Members in this House I have been a habitual traveller in third class since 1930, that is, when I decided to join the band of disciples of Mahatma Gandhi. Therefore, I feel that I am rather in a competent position to talk about the woes, troubles and sufferings of third class passengers. Sir, we were told only yesterday, by the Honourable Member in charge of this Department, that the reduction in third class fares experimented on the North Western Railway has not really resulted in any increase of revenue. But in answer to that I

can only say that for so many years the railways, not only the North Western Railway but also other railways, have succeeded in neglecting the convenience of third class passengers and have succeeded at the same time in forcing third class passengers to be satisfied with the carriages that they were placing at their disposal, that there could be no revolutionary increase in the earnings just because of a small reduction in third class fares.

Every year we meet with the same answer, that owing to want of funds, the convenience of third class passengers could not be increased. This phrase "want of funds" has been staring us in the face all these years. Why should we be given the excuse of want of funds when really it is the third class passengers that have been responsible in providing the Government seven-eighths of the revenues derived from passenger traffic. The third class passengers ought really to be congratulated upon having shown such a tremendous amount of loyalty to the railways, in spite of the defection of the railways, in spite of the failure of the railways to look after their conveniences. What all railways really attempt to do to help the third class passengers is to allot this small additional expenditure of 20 lakhs and a little more while they are prepared to lose so much by not agreeing with the Honourable Members on this side of the House to institute a drastic cut in the salaries of those people who draw more than Rs. 500 per month. We should really be grateful to these third class passengers for having continued to provide for the railways with very much more income than they were getting in 1913-14. In 1933-34 alone the railways were able to derive as much as 28 crores 51 lakhs, whereas they were getting only 20 crores 56 lakhs in 1913-14. Look at the plight of the third class passengers themselves? Most of them are peasants and their income has gone down to a very much lower degree than it was in 1913-14 as is evidenced by the reports published by the Government of India themselves. In spite of that, they continue to provide this Government with very much greater income than what they are really getting for themselves. Yet, Sir, the railways and the Government of India complain that the third class passengers are really not so very loyal to the railways and that they are running away to the bus and other traffic. I am not one of those who really wish to discourage the growth of the bus traffic at all. I am not afraid of this rail-road competition. If really railways are run properly and more efficiently and with a view to serve the needs of third class passengers, I am sure that they have nothing to fear from the bus competition, as far as third class passengers are concerned. As has been admitted by several Honourable Members on the other side, the competition is not so much for journeys beyond a distance of 50 miles, as it is for journeys for distances less than fifty miles. It only shows that the railways really have not paid sufficient attention to the convenience of third class passengers. When it was suggested by my Honourable friend, Sir Abdul Halim Ghuznavi, that suburban railways should be electrified, he was given the answer that it would cost of 12 to 14 crores, and that this money could not be raised by Government. Sir, in South India, the Madras and Southern Mahratta Railway, in order to meet the bus competition, had to introduce more trains in their suburban service during the day and also an accelerated train service. These things could be better done if they had electrified the line. In these days, when money is plentiful, I do not see any difficulty in Government borrowing money to any extent. Fourteen or Fifteen crores can be easily raised in the market. I submit that if the

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trains are electrified, it will meet most of the convenience of third class passengers. Nothing but the inertia on the part of the Government stands in the way of effecting this reform; nothing but their own inability to take decisions and execute them in a courageous fashion!

Sir, in this year's Railway Administration Report there is a chapter on passenger amenities and I am glad to say in this connection that the chapter is a little more exhaustive than it used to be. But this chapter only shows that Government have been at pains to show a few things here and there that they have tried to do here and there in order to satisfy us. Really this does not go far enough at all. This is really enough to condemn this Government for its failure to cater to the convenience of third class passengers. It is well-known, Sir, that water supply is most badly needed in a hot country like India. In my part of the country through which the Madras and Southern Mahratta Railway runs, it is stated that only in one station water supply amenities were provided during the last year. That is really very unsatisfactory.

I find in this connection that the State-managed Railways are a little better than Company-managed Railways. The North Western Railway and the East Indian Railway, which are managed by Government, propose to spend one lakh 49 thousand and 18 lakhs 50,000, respectively, whereas the Company-managed lines propose to spend only 80 thousand and 67 thousand for the whole of next year in order to provide such amenities as latrines, water supply, lower class waiting rooms, covered platforms, refreshment rooms for third class passengers, booking facilities, raised platforms, additional carriages to reduce overcrowding, improving existing carriages and miscellanea. On all these things what do they propose to spend? They will spend only Rs. 67,000 in the case of the Eastern Bengal Railway and Rs. 80,000 in the case of the Bombay, Baroda and Central India Railway. If that is the way in which Government propose to minister to the needs of these third class passengers, I do not wonder that the bus traffic is growing every day, more and more dangerous, more and more troublesome and more and more prosperous. If they really wish to counteract this bus traffic at all, then, as has been suggested by several Honourable Members already, they ought to improve their own service. In trying to improve their own service for the third class passengers they ought to improve the latrines. So many people have already spoken upon this necessity, and yet such a small sum of money is proposed to be spent during the next year on this particular thing alone.

Then, again, there is the question of overcrowding. We get the same old reply that overcrowding does not really exist on most occasions; it is only occasionally that it does take place and necessary steps are being taken to prevent it, and so on. But this year they seem to be a little more liberal-hearted and they seem to be anxious to spend a few thousand rupees more in lessening this overcrowding in third class carriages. Sir, it is not enough at all. We wanted better carriages, we wanted better lighting in the carriages, we wanted better lighting in the latrines and more accommodation in the latrines themselves. We wanted better seats, and we were given a very reassuring answer last year by the predecessor of the present Honourable Member that a new carriage was designed and it would soon help to improve the conditions of third class travelling. And what is the answer we were able to get from the present Honourable Member for Railways? He simply said that it was still being

looked into: it had still to be inspected by the members of the Central Railway Advisory Committee and he could not assure us that it would be possible for him to push into service as many carriages as possible of this type. And we are only left wondering whether, with the mentality with which they are today charged, a mentality of despondency with regard to these railways, they would be willing to push on with this particular reform and improve the third class carriages at all.

Then, Sir, I come to the treatment that is usually meted out by the railway employees towards the third class passengers. They are often treated almost as a nuisance by the railway employees, not only by the lower paid employees but also by the higher paid ones. And more often than not, the higher paid employees do not pay any attention at all to the complaints that are brought to their notice by the third class passengers. From the sweepers right up to the station masters these railway employees have been treating the third class passengers in a most unconscionable fashion. I am glad that the Honourable the Railway Member has expressed himself wholly in favour of improving the conditions of third class passengers and he has even expressed his own personal anxiety that their conditions should be improved. Sir, an expression of personal interest in the fate of the third class passengers really does not go far enough and cannot reassure us when we remember that he himself has given answers again and again, even during this Session, that latrines on the East Indian Railway, Bengal Nagpur Railway and the Madras and Southern Mahratta Railway have been found to be quite satisfactory or at least not unsatisfactory and that the water tanks are filled properly and at all times, etc. And other similar replies have been given. I can only state that the South Indian Railway mentions here that notices have been put in the latrines that passengers can ask the station masters whenever they find that the water tanks are in need of water. But, Sir, I have only recently toured very extensively in Southern India and have not found even one latrine in any third class carriage where such notices have been exhibited at all. I made one suggestion while I was on the Public Accounts Committee to the Chief Commissioner who was then in charge of railways, that complaint books should be placed in the Railway Guard's vans and in the Railway Guides a notice should be put as to the help that every passenger can expect a railway official to render to him in his relations with the Railway Department and with the other passengers also.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Prof. N. G. Ranga: But no action seems to have been taken till now and we only find that more and more money has been spent only recently upon improvement of the conditions of first class passengers while very little has been spent on the improvement of the conditions of third class travelling. Even now with regard to the estimates made for the increased income from these passengers, I find that they expect to get only five lakhs more by increasing the rates for first and second class passengers whereas, they expect to get as much as 50 lakhs from the third class passengers. The third class passengers have been paying more and more even during these days of depression and yet they have not been looked after at all, whereas the first and second class passengers are not even able to provide them with more income, even if their

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rates are raised, and yet they are being looked after properly. And still, our suggestion, that the first class should be abolished completely is not likely to be accepted by Government. The first class should be abolished, and there should be only two classes in addition to the intermediate class, and the third class fares should be lowered instead of being raised, as is proposed by the Honourable Member for Railways.

Mr. M. S. Aney (Berar Representative): Sir, in supporting this cut, I only wish to make a very few observations. The third class passenger's grievance is a hardy annual and because of that some people fail to appreciate its proper importance also. I should like to impress upon the Honourable Members of this House that the fact that the complaint with regard to the third class passengers' grievances is being repeated, year after year on the floor of the House, is itself a most eloquent and convincing proof of the urgency and the importance which the public at large attach to this question. The third class passenger is the most pathetic figure that one can come across on the railway platform. As my Honourable friend, Mr. Satyamurti, said yesterday, he thinks himself a prisoner as soon as he enters the railway station and until he gets out of it he does not breathe the breath of a free man. I am clearly of opinion that so long as the needs and requirements of the third class passengers are neglected, this Railway Department shall carry the curse of the third class passenger on its head and it shall never prosper. After all, the third class passenger is their greatest patron. He is the passenger who contributes more than one-fourth to its total revenues. That is the position of the third class passengers.

Before I discuss the actual question of grievances or refer to some of them, I should like to bring to the notice of the Honourable the Member for Railways and also of the Financial Commissioner a discrepancy which has struck me as somewhat unusual. At pages 12 and 13 of the Report on the Indian Railways for 1934-35, Volume II, I find the figures of earnings from passenger traffic as follows:

"Rs. 76,83,000 from first class, Rs. 1,41,48,000 from second class, and Rs. 1,11,92,000 from Intermediate Class. That is, from all the upper classes the income shown comes to Rs. 3,30,23,000; while the earnings from the third class passengers are shown as Rs. 27,04,74,000. The total comes to Rs. 30,34,97,000."

As against that, the figures given in the budget papers supplied to us are as follows:

| Passenger traffic earnings, | | | | Rs. |
|-----------------------------|-----|-----|-----|--------------|
| Upper class | ... | ... | ... | 3,11,71,879 |
| Third class | ... | ... | ... | 24,43,78,000 |

The total thus comes to Rs. 27,55,49,879 as against Rs. 30,34,97,000 which seems to be the figure given in the Report.

Mr. P. R. Rau (Financial Commissioner, Railways): May I explain that? The figures given in the Administration Report refer to all railways in India, class I, class II, and class III, while the figures given in the Explanatory Memorandum refer only to the State-owned railways—commercial lines.

Mr. M. S. Aney: I accept the explanation and I am thankful to the Financial Commissioner for the correction he has made. I was rather surprised as to how there could be a discrepancy of two and odd crores of rupees. Now, in this question of the third class passenger grievances, for the redress of which we are repeatedly bringing a cut motion before the House, I want the House to realise the relative importance of the third class passenger as a patron of the railways as compared with the importance of other passengers—I mean the Upper class passengers. It is known—and this matter has been repeatedly placed before the House also—that the amount spent for the comforts of the upper class passengers, for preparing first class bogies, and so forth, is not repaid by the income earned from them. That is to say, all these comforts are provided for from whatever the railways are able to get from third class passengers. It is a case where the “haves” are enjoying at the cost of what in the common parlance is known as the “have-nots”. The Railway Administration in India, so far as their policy of providing for the comforts and convenience of passengers is concerned, directly encourage the policy of providing for those who have at the cost of those who have not. This in itself is the strongest ground why the Railway Administration should direct their attention primarily to the immediate requirements—human requirements so to say—of third class passengers. One great defect in the system which may strike everybody who has to travel in the third class—and most of the gentlemen sitting on this side must have that experience generally in my opinion—is that the third class passenger does not know whom to consult on the railway platform if he is in difficulty. My Honourable friend will say “Why, there is the railway guard, there is the driver. . . .”

The Honourable Sir Muhammad Zafrullah Khan: Wait till I say ‘why’.

Mr. M. S. Aney: You will permit me to guess what you are likely to say. If I am wrong in my guess, I shall be very glad. Nobody will be more delighted than myself if I am wrong in what I attribute to you. If a passenger is in difficulty, he does not know where to go and whom to consult. The first primary difficulty as regards the guard is that very often the guard is a man who does not understand the language of the passenger. India is the one country in the world where the servants are not required to learn the languages of their masters, but the masters are required to learn the languages of the servants. In small stations, the station masters are very busy in looking after the trains, so that there is no man whom the third class passenger can consult.

An Honourable Member: There is the coolie!

Mr. M. S. Aney: The coolie is also there to bully him. He is too poor to engage the services of a coolie. If the man succeeds in getting some information, he is referred to a board on which the timings of trains are written. If he wants to know the time of a particular train by which he wants to go and the platform from which the train will start, he is referred to the board, the writings on which in ninety-nine cases out of hundred are in English.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): That is a wooden lie!

Mr. M. S. Aney: This man, who is illiterate himself, is unable to understand what is written in English, and he has to find out some other fellow to read it out to him.

The Honourable Sir Muhammad Zafrullah Khan: In the meantime the train has left.

Mr. M. S. Aney: My Honourable friend realises the difficulties much better than it is possible for me to depict them. In view of that, I shall not dilate upon the point further. There are other considerations also, which I should like to urge. The railways came into existence in this country in 1858—that is the first year to which I can find any reference in our reports. This means, they have been here for about 75 years. During all these years the Railway Administration did not know that the third class passenger was a human being who has the same needs and requirements as a first class or upper class passenger. Even now I am told that there are certain lines where arrangements for latrines or arrangements for answering the calls of nature are not provided for.

Captain Sardar Sher Muhammad Khan (Nominated Non-Official): The third class passenger does not like the flush system.

Mr. M. S. Aney: And, therefore, no system is to be provided. I do not know if my Honourable friend is right in saying that. The point is that even these ordinary requirements which ought to be provided for a human being are denied to them for all these years. I find there is a cut motion standing in the name of Mr. Satya Narayan Sinha on the necessity of providing lavatories in the third class carriages of a certain line. That is a point to which I should like to draw attention too. I was on the Railway Finance Committee for a number of years—allow me to express my heart-felt thanks to those friends with whom I had the privilege to work on that Committee. They were very conciliatory to any suggestion that was made; but one of my complaints was this, that some arrangement must be made to fit electric fans in third class compartments: that has been my complaint for a long time . . .

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): We all agree with you.

Mr. M. S. Aney: because I think, even if that arrangement is not made in the case of the first and second class compartments, the passengers in those classes will not suffer so much because there is not that overcrowding that you have in third class compartments when pilgrims are taken in thousands and thousands packed up practically like cattle; they are perspiring like anything and they are carried like so many cattle: it is a terrible ordeal to go through for them, and even for those to see it. That arrangement should be made; but it is always on the ground of want of funds that this reform has been shelved. I believe all other reforms with regard to carriages should be ignored in preference to this most urgently needed reform. After all it is from those persons that you are taking the money and if you do not provide them with this minimum of convenience, you make their life almost miserable. It was all right in those palmy days when the railways had a monopoly of carrying men; but now the railways must re-

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remember that they have got a competitor, and a competitor the effects of whose competition are being felt by them even now. The complaint is made that it is unfair competition. You must remember that a railway journey is more costly and also not so comfortable, on account of the various disabilities under which a passenger has to remain there, besides the well known want of courtesy which every man has a right to expect from the railway servant. With so many difficulties, how do you expect to run these railways at a profit when there is competition? The Government of India, like certain persons, have learnt to rule India when there was nobody to compete. Like certain merchants also they know how to trade if there is no competition; but as soon as there is a competitor, we find them at their wits' end. the so-called efficiency, the so-called statesmanship, the so-called resourcefulness of the Government of India is only apparent when there is nobody to challenge it, nobody to question it. But immediately an ordinary motor driver stands in the street and gets a lorry and there is a little combination of a few uneducated men to run these lorries, the Railway Department finds itself unable to compete with them and it rushes to this Legislature with Bills—I do not know of what kind they will be—to restrict their activities. It is with the help of legislation they desire to reinforce themselves so that they can carry on their work. That is not the way. You must make your lines more attractive. After all it is the third class man who goes by the lorries: the big persons have their own cars and they travel in them and they never go to these lorries. So this is the time when the railways should look into this thing also, most carefully.

I will not take up more time of the House. I will make only one suggestion with regard to pilgrim traffic. There are many stations where lakhs of pilgrims get down within a limited time for certain festivals and on certain days of pilgrimage—for instance stations like Hardwar or Kasi or Prayag during the *Kumbh Mela*. Other Members know of other stations also. Considering the traffic at these stations, the arrangements made in them are extremely scanty and these insufficient arrangements have been there for a number of years. Every railway officer, the Inspector, Superintendent, Deputy Agent and Agent visit these stations, but no arrangement is made to expand the platforms or make the necessary arrangements to give all the comforts needed to the passengers who get down there in such large numbers. On the other hand we find that at many towns, simply because they happen to be the capital towns of provinces, where for the sake of adding to the dignity or beauty of those capital towns, very big stations have been erected, such as Poona and Nagpur: the expenditure there is not justified by the traffic today—I think the traffic must be partially the same as it was before. I will, therefore, insist that all these problems must be tackled primarily from the point of view of the third class passengers. The building of big stations at these capital towns was taken up because big European officers come and get down at these stations more frequently and, therefore, the rebuilding and expansion of those stations occurred to the Railway Department as a matter of first class importance. This mentality of the Railway Department of looking to the comforts of men who already have got comforts must altogether disappear; and unless this angle of vision is changed there is little hope of necessary improvements coming in a reasonably short time. I am glad to find that here is at least an Honourable Member who has by the little interruption he has made during the course of my speech, indicated that he appreciates all that I said much

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more than I am in a position to place before him. In that reliance I appeal to him to accept this cut and give a promise of carrying out all the reforms at the earliest possible time.

Mr. M. Asaf Ali (Delhi; General): I move that the question be now put.

The Honourable Sir Muhammad Zafrullah Khan Sir, a large number of suggestions have been put forward—I might say have been repeated—with regard to the amenities which should be provided for third class passengers on the Indian railways. I think some of these suggestions might be placed on this basis: that irrespective of the amount of money that the railways can earn from that class of passenger and irrespective of the class of society that he might come from, it is the duty of railways to provide a certain minimum of amenities that may be required from a purely human point of view for any class of passenger that they carry. So far as suggestions which proceed from that point of view are concerned, there could be no two views with regard to them. It is the duty of every public carrier, whether railways or others, but much more of the railways especially if they are a State concern, to see that that kind of amenities are provided upon their system for all classes of passengers. To that extent I fully accept responsibility on behalf of Government.

With regard to the other suggestions, again, they sub-divide themselves into two classes: one, that relate to lack of courtesy or lack of helpfulness on the part of the railway staff towards the third class passenger, more especially to the passenger who cannot so easily obtain information as the smaller class of passengers that travel in the higher classes. There again, Sir, there can be no excuse on the part of the railways not to do their utmost to impress upon their staff the necessity of extending all possible courtesy and attention to all classes of passengers, and more particularly to those who stand in greater need of those things than the other classes of passengers. The second sub-division of the suggestions put forward relates to extra expenditure for the purpose of providing facilities that are now lacking for the third class passenger or to improve some of the existing facilities to a better standard. There again, in principle, I do not think that there can be any possible difference. The only difference that might arise would be with regard to the degree or the pace that might be adopted with regard to those matters. No doubt the views of some Honourable Members are that the pace ought to be very much faster, in some cases their complaint is that no beginning has been made, and in other cases where a beginning has been made, they think the pace ought to be very much faster. No doubt, I shall be accused of saying that I have trotted out the usual excuse that for lack of funds all that was desired could not be done within the space of time that Honourable Members would wish to see it done in, but whoever were in charge of the railways, with whatever degree of sympathy he approached the various suggestions that have been put forward, he would be pressed by that consideration, because, after all, a rupee is a rupee and it can only go as far as a rupee can go. With these general observations, Sir, I shall proceed to submit some considerations to Honourable Members so that they may be able to realise that, the railways have made efforts in this direction to a greater degree

than there has been a disposition to admit on the part of Honourable Members.

An Honourable Member: Very little effort has been made.

The Honourable Sir Muhammad Zafrullah Khan: Now, Sir, let me only make one observation with regard to a matter that falls within the very first category that I mentioned, namely, the purely human standard in these matters. There has been a complaint that on occasions third class passengers have been carried in goods wagons, and not in carriages properly constructed for the purpose of carrying passengers. It is most unfortunate that that should have been so. The explanation on behalf of the railways is that, at least during recent years, that has been an extremely rare occurrence. I personally do not consider, Sir, that even on rare occasions it would be justifiable to use goods wagons for the carriage of passengers, it does not matter what class of passengers, even though such passengers might include people who have not provided themselves with tickets. (Laughter.) If people have to be carried, they must be carried in properly constructed carriages, but I would not be fair to the railways if I did not put forward their explanation with regard to the difficulty they have experienced in this matter. This kind of thing does not happen on any of the broad-gauge systems where additional stock can be rushed up to a place where such additional stock might be required. This has happened, on certain rare occasions, on isolated sections of the meter gauge system where there was no possibility of obtaining additional stock. Now, the situation is this. If the occasion is of a fair or pilgrimage, the railways do make arrangements with reference to the amount of traffic that they had to cope with on similar previous occasions and if on an isolated section of the meter gauge line, which is not connected with other lines from where it could obtain stock in an emergency of that kind, in one year the requirements turn out to be suddenly larger than had been expected, then they are faced with this dilemma, that either they must carry them as best they can under the circumstances or they must leave large numbers of passengers or intending pilgrims stranded to be carried on the next day when probably the purpose of the journey would have been defeated. I think it will be agreed that there is something in that, but I repeat again that railways must take care to see that, where such a contingency is likely to arise, suitable arrangements are made. Railways have been told that where such a contingency arises and they are compelled to provide alternative means of carrying third class passengers in the shape of goods wagons they must inform the Railway Board, so that the Railway Board can look into the matter and see whether or not the contingency was such as to justify at the risk of being blamed, the use of goods wagons for this purpose. While I am on this question of pilgrimages, I might perhaps deal with a point which, though it was made at the last moment, is cognate to the subject. I think that point was made by the last speaker, Mr. Aney. He said that railways do not take sufficient care of this kind of traffic. Now, Sir, I have noticed complaints in the press during last year with regard to some pilgrim centres, as to delays and overcrowding. Having noticed those complaints, I was waiting for an occasion to go and see for myself whether there was some justification for this kind of complaint, and if so, what were the steps that could be usefully adopted in connection with these pilgrimages and fairs. Without giving a longer warning than was absolutely necessary, I visited Allahabad recently and looked into the arrangements in connection with the *Ardh Kumbh Mela* on the morning of the 19th of

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January last. Well, it may have been a coincidence in favour of the railways that the arrangements, as everybody agreed after the *Mela*, were to the entire satisfaction of all those who had occasion to use the special station at the Sangham or to go on to the *Mela* grounds at the Sangham, not only in regard to the actual carriage of passengers, but also with regard to first-aid, sanitary arrangements, public health and other matters which were being looked after by the railways. Only, it was an irony that the volume of traffic that the railways had expected did not materialise.

Mr. M. S. Aney: Was it given out that the Honourable the Railway Member was to visit the station?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir; that information was not given out earlier than it was absolutely necessary to do so, and they could not have built a special station or broader platforms within a few days of learning that the Member was visiting the station. That should give some assurance to Honourable Members that complaints of this kind, whenever they arise, are looked into, not merely by the railways themselves, but also by people at headquarters.

Now, Sir, I am afraid I shall not be able to deal with all the suggestions that have been made at a great length, because, after all, as I said yesterday, one must conform to the arrangement with regard to the limitation of time that has been arrived at, but I shall touch upon some matters to which reference has been made by Honourable Members. One complaint was that though the third class passenger was the largest customer of the railways, there had been, at least in recent years, a continuous increase in third class fares and a continuous decrease in higher class fares. I am afraid, Sir, those Honourable Members who put forward this suggestion were not right, because evidently they had not read the information on the point correctly. I have had a note prepared from which I take the following information. With regard to the average fares on all systems combined, and I shall refer to two or three of our bigger systems later on individually also, this is the position I find as compared with 1927-28. In 1927-28, the average first class fare was 17 pies per mile on the broad gauge systems. In 1934-35, it was 18 pies per mile. Second class fares are, of course, practically half of the first class fares and I need not refer specifically to them. The average third class fare was 4.27 pies per mile on the broad gauge lines in 1927-28, and, in 1934-35, it was 4.24 pies per mile. With regard to the three principal systems, the Great Indian Peninsula Railway, the North-Western Railway, and the East Indian Railway the position was this. On the Great Indian Peninsula Railway, in 1927-28, the first class fare was 16.9 pies per mile and in 1934-35, it was 18.9 pies per mile. The average third class fare was 3.57 pies per mile in 1927-28, and 3.25 pies per mile in 1934-35. Again, the corresponding figures for the North Western Railway are first class 14 pies and 16.4 pies in those two years, and third class, 3.19 pies and 2.81 pies. With regard to the East Indian Railway, the figures are first class 14.8 pies and 16.2 pies and third class 3.73 pies and 3.63 pies. In each case there was a rise with regard to higher class fares and a fall with regard to third class fares.

An Honourable Member: But what about the Company-managed railways?

The Honourable Sir Muhammad Zafrullah Khan: Now, let me come to the question of accommodation. Honourable Members are aware that in 1929 the Indian railway standard design of third class carriages was adopted and that design has, on all hands, been admitted to have been more comfortable and more convenient than the previous designs in use. The total number of carriages built corresponding to that design since 1929 has been, first third class carriages, 358, third class and intermediate class combined, 76, third class and luggage and brake vans combined, 277, total 711. It may be said that that is not a large enough number. True, but the consideration is this. Carriages can only be renewed according to expansions of traffic. If there is no expansion of traffic there will be only a certain normal number of renewals in each year. If there is an expansion of traffic, a large number will continue to be built, according to the new design. As Honourable Members are aware, unfortunately, in recent years, traffic has not expanded and, therefore, renewals have been on a smaller scale than they would otherwise have been. But even under these conditions Honourable Members would be interested to know that with regard to their rolling stock programme for 1937-38 the Great Indian Peninsula Railway alone have a proposal to improve 165 pre-Indian railway standard design lower class carriages having third class accommodation, which are less than fifteen years old, at a cost of Rs. 1,36,000 spread over three years.

An Honourable Member: Precious little!

The Honourable Sir Muhammad Zafrullah Khan: That is only one of the systems. The difficulty is, you cannot scrap large numbers of carriages at any given time simply because now you have got an improved design.

Mr. Sami Vencatachelam Ohetty (Madras: Indian Commerce). Has anything been done last year?

Prof. N. G. Ranga: Nothing at all.

Mr. President (The Honourable Sir Abdur Rahim.): The Honourable Member must not go on interrupting.

The Honourable Sir Muhammad Zafrullah Khan: As I have said, though all of us would wish to see these improvements come very much faster, in the nature of things, they can only come gradually as renewal programmes permit. Then, with regard to the new third class carriage, one Honourable Member said:

"We have been told it has been designed, but we have not seen any tangible proof of it. We are told that the Central Advisory Council have still to inspect it and we do not know whether it is going to be built or not."

The position with regard to that is that one carriage has been built for the purpose of Honourable Members inspecting it so that the design can be finally passed. I had occasion to examine it some weeks ago when it was brought up to Delhi. It is again being brought up to Delhi in the course of this week and members of the Central Advisory Council will have an opportunity of seeing but briefly, the improvements in this type of

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carriage are that it is divided into six compartments, each having accommodation for 16 passengers with sleeping accommodation for eight passengers. There is considerable improvement in the matter of lighting, considerable improvement with regard to lavatory accommodation and the number of lavatories provided. I explained to Honourable Members, the other day in my speech, that each of these carriages is expected to cost Rs. 5,500 in addition to the cost of an ordinary third class carriage. It must be looked at by the members of the Central Advisory Council so that the railways may have their final suggestions with regard to the improvements to be made. I must, however, warn the House against thinking that as soon as the design has been approved of there is going to be a wholesale replacement on all railways of old carriages by carriages of this new type. The introduction of this new design is dependent upon the renewal programme of the railways and on funds being available. That is a question from which we cannot get away however great our anxiety to provide these new carriages.

(At this stage, Prof. N. G. Ranga interjected a remark.)

Mr President (The Honourable Sir Abdur Rahim): The Honourable Member cannot go on interrupting like this. If he cannot help interrupting, then the Chair will have to help him.

Prof. N. G. Ranga: I am only putting a question.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member will go on interrupting, the Chair will have to take steps to see that he does not.

The Honourable Sir Muhammad Zafrullah Khan: It was remarked by one Honourable Member that the lack of sympathy for the third class passenger was demonstrated by the fact that the Railway Board were not building this new type of carriage fast enough, and yet they had built a shelter over the ceremonial platform at New Delhi-station at a cost of over Rs. 47,000. Honourable Members will be interested to know that the cost of one of these new type of carriages is likely to be between Rs 33,000 and 34,000, and it is not correct to say that if this shelter had not been built a large number of third class carriages of the new design could have been placed upon the lines. As a matter of fact, this shelter represents the cost of one and a half third class carriage. My Honourable friend, Mr. Joshi, says, it shows the spirit in which we work. The spirit is that whereas several new third class carriages are being constructed, this one shelter has been provided here, not merely for the convenience of His Excellency the Viceroy, as was suggested, but, as I explained on that occasion, for the use of His Excellency the Commander-in-Chief, for high dignitaries, Indian Princes and foreign potentates who may have occasion to visit Delhi, and, after all, New Delhi is the Imperial Capital of India, and you cannot have a ceremonial platform for the reception of these high dignitaries and leave it without a shelter from the vagaries of the weather.

There was some complaint with regard to a large number of the South Indian Railway carriages not being provided with proper seats. With

regard to that, in answering a question only lately, I did express to Honourable Members that I considered that that position was unsatisfactory. But, again, there too, although the need of renewal of these carriages has been impressed upon the South Indian Railway Company renewals can only take place gradually. As these carriages come into the shops for repairs, some of them are fitted with better seats and brought back to the line in an improved condition. There has been a continuous improvement in the situation, but as the South Indian Railway carry a considerable stock of this old kind of carriage and it is not practicable to scrap all of them and put on new carriages, I am afraid, though there is a steady improvement, we cannot have an entire change during the course of the next year or so. But we are impressing repeatedly upon the South Indian Railway that in addition to fitting more and more carriages with better seating accommodation they should take care that as few of the older type of carriages as may be practically are used on main lines. We shall again take the opportunity of impressing it upon them that Honourable Members have pointed out from their own personal experiences that they do not always compose their through rakes in such a fashion that there should be, on the main lines, as few carriages of the older design and type as it might be practicable.

My Honourable friend, Mr. Lalchand Navalrai, tried to make a point with regard to the Advisory Committees to which I might advert for a moment. He complained that whenever he asks a question with regard to matters of detail, I am in the habit of saying that these are matters to be discussed between the Advisory Committee and the Agent, and that the question is being sent down to the Agent for consideration. He said that when the same question were raised by the Advisory Committee, the Agent refused to accept their advice. He has selected an instance where the advice of the Advisory Committee has not been accepted, and he has ignored all those very large number of instances where that advice is accepted and carried into effect

Mr. Lalchand Navalrai: There are very many occasions where he has not accepted such advice. I know it personally.

The Honourable Sir Muhammad Zafrullah Khan: If there are several occasions in which it has not been accepted, there are a very large number of cases where it has been accepted. But the position is this. The Advisory Committees no doubt continuously press upon Agents an addition of amenities for passengers. Some of their suggestions it is possible to accept, some it is not practicable to accept, and it is not correct to say that whenever a suggestion of that kind is made the Advisory Committee is flouted and its advice is not taken. As a matter of fact, a publication is issued showing all the suggestions that are made by Advisory Committees, those that are under consideration, those that have been carried out, and those which it has not been practicable to carry out. I do not think that there can be any complaint that the Agents do not make full use of the advice that members of these local advisory committees give them. They are very valuable adjuncts to the railway administration and often bring small matters, which are otherwise likely to be overlooked, to the notice of Agents and in a large number of cases these matters are set right.

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On the question of water supply in the tanks and the cleanliness of carriages, on a question to that effect being put by Professor Ranga, as I know already that the Honourable Member was in the habit of travelling in the third class and that matters with regard to which he professed to possess personal knowledge, were matters which ought to be looked into, I had a statement relating to the arrangements regulating these matters placed before me. It would take too long to read it out. As a matter of fact, I am already getting towards the close of my time. I shall admit at once that on such a vast system, sometimes instructions are not carried out to the extent to which it is necessary that they should be carried out in practice in order to provide all the facilities and amenities which the administration have in view. But so far as the question of laying down the rules and issuing instructions is concerned and impressing them upon the staff who have to carry them out I find that the rules and instructions are quite adequate. It will be the business of the Railway Board, it will be my business, having due regard to my other duties and preoccupations, to see that the railways pay a great deal more attention to these matters than they have done in the past. My attitude is not, sitting here and receiving reports from different railways, to say that I am entirely satisfied with the arrangements and that there is nothing in these complaints. No one having personal experience of this very vast system, with its thousands of railway stations, thousands of running trains, very large numbers of staff and very large numbers of passengers coming in contact with the staff, can contend that it is the best of all possible systems, and that every railway employee carries out his duties in the spirit in which we would desire to see them carried out. That is not my position at all. Apart from the experiences of Honourable Members, I myself have had experience of these matters. I have travelled in all classes of carriages and I know that a good many of the complaints that are put forward with regard to these matters are justified and whatever may be the view of the administrations, I intend to continue to pursue these matters. I do not think there can be any excuse for lack of courtesy and lack of helpfulness, though, I am afraid, in this country, through long years of habit, as I said in the other House, unfortunately, every one who possesses a little authority tries to lord it over poor helpless persons who may be a little lower in the scale than himself. That sort of spirit has to go. With regard to conveniences which require the expenditure of money, I shall go on doing all I can in a sympathetic spirit, so far as the provision of funds will permit. So long as I am in charge of this department, it shall be my concern to see that whatever amenities can reasonably be provided for the third class passengers are in fact provided.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

DEMAND NO. 6E—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I beg to move:

"That a sum not exceeding Rs. 10,80,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Expenses of Traffic Department'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

"That a sum not exceeding Rs. 10,80,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Expenses of Traffic Department'."

*Grievances of Railway Workers.**

Mr. V. V. Giri (Ganjam cum Vizagapatani: Non-Muhammadan Rural): Sir, I beg to move.

"That the demand under the head, 'Working Expenses—Expenses of Traffic Department' be reduced by Rs. 100";

to discuss the grievances of railway workers

Without offence to the Honourable Member in charge of Railways and Commerce, I am bound to say that the Railway Department learns nothing and forgets nothing. If the railway workers demand better wage conditions, they are told that the financial commitments and the financial implications would not allow that payment to be considered. If, on the other hand, the railway workers put up their demand for a better security of service and better conditions which do not involve financial commitments, they are told the matters are under consideration. For want of time, I cannot take up all the points that I would like to put forward during the course of this debate, and, therefore, I content myself by taking up a few important points.

The first point that I would like to put forward before this House is the establishment of a joint standing machinery. The Royal Commission on Labour and its report has become, so far as the Railway Department is concerned, ancient history, and, in spite of the fact that there was a persistent demand that the recommendation of the Royal Commission on Labour should be put into effect with respect to this matter, eight years have gone by and nothing has been done. I would like for the benefit of the House to refer exactly to what is meant by the joint standing machinery. Their idea was to prevent industrial disputes; whenever they apprehended them, their desire was to remove the grievances of the workers through this joint standing machinery. They have stated on page 168.

"The Indian Railway Conference Association and the All-India Railwaymen's Federation are bodies whereby a Joint Standing Central Board can be formed in the best interests of all concerned. We therefore recommend the introduction of machinery for dealing with industrial relations on railways which will provide for the constitution of a Joint Standing Central Board to which representatives of the Agents and of the workers should be elected in equal proportions."

Further on, they state:

"We recommend that the representatives of the Agents should be elected by the Indian Railway Conference Association and those of the workers by the All-India Railwaymen's Federation."

They stated further:

"When a dispute is apprehended on any railway, if the matter is not capable of settlement by its Railway Council, it should be referred automatically to the Central Board, it being agreed that no stoppage of labour, either by strike or lock-out, should take place pending consideration by the Central Board or, in the event of failure to reach agreement, pending the decision of the tribunal to be set up."

[Mr. V. V. Giri.]

Later on, they suggest that the tribunal should be composed of five representatives of each side of the Central Board together with five persons from outside unconnected with railway administration or railway workers or the Association. This was suggested, Sir, eight years ago and the Railwaymen's Federation and the Railway Board have discussed this question year after year and the consideration was put off from time to time, and last year we were told that the matter was now before the Government of India in the Department of Industries and Labour. I would not wonder, Sir, if tomorrow the Honourable Member in charge of Railways and Commerce were to say that he would not like to anticipate the decision of that unwanted child, the Statutory Railway Authority, and when that Authority comes up, I would not wonder if that Authority were to say that the matter should be left to the Governor General in his individual discretion and special responsibilities to dispose of the matter.

Mr. N. M. Joshi: And we shall be told to wait till the Federation comes into existence.

Mr. V. V. Giri: Sir, that is the attitude of the Railway Department in India towards industrial disputes. They often shed crocodile tears and say that they are most anxious to have a healthy growth of the trade union movement. Therefore, Sir, I charge the Government of India in the Department of Commerce and Railways that if, within the last eight years after the Royal Commission came to India and wrote their report, disputes have occurred and thousands and thousands of workers have been put out of work and thousands and thousands of families have been ruined, all the sins lie at the door of the Government of India. Sir, the labour policy of the Government of India, so far as industrial disputes are concerned, has entirely failed.

Now, the second point I would like to raise before this House during this debate is the policy of retrenchment of the Railway Board. During the depression period of 1931-32, the Railway Department in all the Company-managed and State railways have retrenched 47,000 workers. Now, that means 47,000 workers, and their families were put out of work, and they and their families were thus left without any hope of getting the next morsel of food for the day! Sir, the Railwaymen's Federation and the affiliated unions have cried hoarse that the retrenchment of workers should be prevented. They, on the other hand, were prepared to place before the railway authorities alternative schemes and thus avoid the retrenchment of men, but at the same time having a retrenchment of expenditure. They proposed three alternative methods—such as short time, leave by deputation, and attrition of normal wastage—because they knew that, after all, the Railway Department would not be able to get on for all time with the railways shorthanded and that they will again have to appoint men later on, but the Railway Department would not listen to us; they thought that they were quite wise enough and they could do without those 47,000 men altogether. But, Sir, in answer to questions put by me on the floor of this House, my Honourable friend, Mr. P. R. Rau, stated that, from and after the date of that retrenchment of 47,000 workers, they had taken nearly 36,000 people. They stated that the number of persons who had been re-employed after the retrenchment in 1931 were 18,482 and that those who had not been railway employees, but were new

recruits, numbered 18,188. Sir, again my protest against this Department is that while railway men were thrown out of employment, they have taken in 18,000 new men!

Sir, it is really surprising that the Department of Railways did not know that the Government of India had ratified the unemployment convention which required the establishment of employment exchanges and which required that the Government should place before the country quarterly statements of the number of unemployed taken back into employment and which also required the giving of information to unemployed men when vacancies did occur. We have been told that these new men were employed, because it was not possible to fit them into the jobs that were available, and we are asked to believe that explanation. Sir, we cannot accept that explanation, because it was the duty of the Railway Department to train those men who have been retrenched to suit themselves to the appointments that were many a time to be filled. That is what is done in other countries, but that is what is not done here, because, Sir, we have got an irresponsible Government. (Hear, hear.) Not only that; we demanded the establishment of employment exchanges on different railways and we demanded that the representatives of the trade unions should be associated with those employment exchanges, because we wanted the trade unions to help employees by assisting them to get back to work, but this demand has been refused, and the All-India Railwaymen's Federation put up this demand very strongly before the last half-yearly meeting, but I am sorry to say that the Chief Commissioner of Railways could not accede to this request. I will state for the information of this House that this is not a new demand. This demand was put forward by the unions of the Madras and Southern Mahratta and Bengal Nagpur Railways in 1928 and 1929, respectively, and the employers agreed to our request, and these employment bureaus worked very satisfactorily from the point of view of the employers and from the point of view also of the workers. Sir, if the Government of India in the Department of Railways and Commerce have any *bona fide* intention of encouraging the growth of a healthy trade unionism in this country, there cannot be a better way than to take up this demand and consider it on the floor of this House. Next, Sir, I would like to deal with the question of the supervisor of railway labour in relation to the hours of employment regulations. We have been told at great length that the Government of India in the Department of Railways and Commerce was trying to introduce labour legislation of this kind, but I am bound to state that the workers have a grievance so far as the hours of employment regulations or the Geneva Convention go. We are told that these two Conventions have not been introduced in the true spirit of those regulations, and it is due to this fact that because you are not prepared to employ new men, the Railway Department could not put these regulations into effect in the true spirit with which those Conventions intended that these should be put into effect, and even here our demand was or rather our demand is that the railway unions should be taken into confidence, and that whenever the supervisor of railway labour visits the different railways, we made the modest request to the Chief Commissioner of Railways at the last half yearly meeting, we also made a request to the Standing Finance Committee on Railways, that the supervisor of railway labour should intimate his arrival to the recognised unions so that the representatives of the recognised unions might meet him and assist him by representing the grievances of the workers regarding this Geneva and Washington Conventions being stopped. But this demand also was put down.

[Mr. V. V. Giri.]

Now, Sir, another point that I should like to raise is that today the supervisor of the railway labour is under the department of railways. The supervisor of railway labour is expected to go to the different railways to supervise and tell the Agents of those railways that they are not putting into effect the regulations relating to the Geneva and Washington Conventions in the way in which they ought to be done; well, Sir, a railway servant cannot be expected to be independent and tell the Agents and the authorities of the different railways that they were not doing their duty. Therefore, the demand of the railway unions is that the supervisor of the railway labour should not be under the Department of Railways, but should be under the Department of Industries and Labour, so that he could be expected to be more independent than he is when he is under the department of railways.

The next point that I would like to raise is with reference to the new scales of wages introduced. The demand of the Railwaymen's Federation is that they ought to have been consulted before these revisions of scales of wages were introduced. The Government of India would not like to change their views after having put their views into execution, but we are told now "You can come up and tell us whether we are wrong or whether we are right". That is a different proposition from what it would have been if we had been given an opportunity before they have come to a decision and put the same into execution. The organised workers have a right to be heard before points are settled. In that, the Railway Department have failed in their duty by the railway workers in this country.

Now, Sir, the next point that I would like to put forward before the House is the question of punishment, discharges and dismissals. The All-India Railwaymen's Federation and the respective trade unions affiliated to the Federation have demanded a most moderate demand that whenever a punishment has occurred or was going to occur, the worker aggrieved should have the benefit of representing his case by a representative of a trade union of which he was a member. Eight years ago, the Royal Commission on Labour made this recommendation, and if really the Government of India and the Railway Department are anxious to encourage the growth of genuine trade union movement, such a small demand could and should have been considered, but they have been refused.

Now, Sir, I do not like to take up any more time of the House, but I am bound to say that the labour policy of the Railway Department has been a failure, and, for dilatory tactics, and procrastination, the Government of India is a piece of perfection for those who want to imitate them, and, under these circumstances, the Railway Department and the Government of India deserve the censure of this House, because they have not been doing their duty by the seven lakhs of railway workers who are responsible for the efficient running of railways, but for whose efficient working, we would not have been here today, and, if they do not do their work properly, we shall not go back to our homes in the happy manner we are able to do at present. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Out motion moved:

"That the demand under the head 'Working Expenses—Expenses of Traffic Department' be reduced by Rs 100."

Mr. N. M. Joshi: Mr. President, I shall try to make the best use of the four or five minutes which I have just now before the motion for adjournment begins. Sir, I was rather pained to hear in the speech of the Honourable Member in charge of Railways as well as in the speech of Sir Guthrie Russell, the Chief Commissioner for Railways, statements with an implication that at least a part of the deficit which the railway budget has shown is due to the labour legislation which the Government of India during the last some years, perhaps ten or fifteen years, have undertaken for the benefit of railwaymen and for increasing the salaries and wages of railway employees. I feel that that statement is a misleading and unfair one. It is true that some years ago the Government of India passed legislation for regulating the hours of work for some classes of railwaymen. But the Government of India should remember that this legislation, they had undertaken to pass, was in pursuance of their having ratified the Convention of International Labour Conference which was passed in 1919 at Washington. If the labour legislation was passed in 1926 or 1927, the Government of India had only delayed what they had agreed to do in 1919. Secondly, it is said that the Government of India have spent 50 lakhs more in order to increase the wages and salaries of some classes of railway employees. So far as I know I have not heard of much increase of salaries of the railway employees in India. It may be that the railway employees of some lines, a section of them perhaps, may have got the benefit of this increase in wages, but I have not heard of a general increase of wages even of the lowest employees of the Indian railways. As a matter of fact, the Royal Commission on Labour made a recommendation that the rates of wages of the lowest paid employees should be revised and from the statement made by the Railway authorities in reply to that recommendation you will find that recommendation has not yet been given effect to. I therefore, feel, that it was wrong for both the Honourable Member in charge of railways and for the Chief Commissioner to throw out an implication that, at least, a part of their deficit was due to what they have done for railwaymen. Moreover, the statement was somewhat unfair. It is not that the Government of India have spent money only for labour legislation and for improving the salaries of railwaymen. They have spent larger sums of money in several other directions where it was not necessary at all. I have seen for several years that the Government of India have stocked first class carriages a little too much but even now they continue to spend more and more money in maintaining more and more first class carriages . . .

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Sardar Sant Singh.

MOTION FOR ADJOURNMENT.

REFLECTIONS BY THE HONOURABLE THE FINANCE MEMBER ON THE MEMBERS OF THE HOUSE WITH REGARD TO CERTAIN QUESTIONS ADMITTED BY THE HONOURABLE THE PRESIDENT.

Sardar Sant Singh (West Punjab: Sikh): Sir, I move that the business of the Assembly be adjourned for the purpose of discussing a definite matter of urgent public importance . . .

4 P.M.

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, I rise to a point of order. The only motion which can be moved is that the House do adjourn.

Mr. President (The Honourable Sir Abdur Rahim): That is so. The motion will be that the Assembly do now adjourn.

Sardar Sant Singh: Sir, I beg to move that the Assembly do now adjourn.

It is never a pleasant duty for any man to discuss questions involving personalities and it becomes still more difficult to discuss such a question when the principle and the personality go together and are inextricably mixed up. It is particularly so when passions are high and it is very difficult to bring about a calm and cool consideration of the points involved in the controversy.

Mr. President (The Honourable Sir Abdur Rahim): The Chair hopes the Honourable Member will not treat it as a personal question; it is not a personal question.

Sardar Sant Singh: I am trying to explain this very fact that I want to eliminate the personal question as much as I possibly can from the issues involved in the present dispute. At the very outset I may say that I do not know the facts involved in the question that was put yesterday to the Honourable the Finance Member, nor do I know how the information came to Mr. Sham Lal. What I am concerned with is the right of the Members of this House to ask questions and to get answers by way of information from those who are in a position to give that information. It has been contended, Sir, that Honourable Members of this House are in the habit of giving untrue facts amounting to misrepresentation and thus securing publicity for those untrue facts through the medium of this House.

The Honourable Sir Nripendra Sircar: That is not the statement.

Mr. President (The Honourable Sir Abdur Rahim): He said, "some Honourable Members".

The Honourable Sir Nripendra Sircar: The statement is misquoted.

Sardar Sant Singh: The exact words are:

"I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants."

I hope, Sir, the House will agree with me that the plain meaning of this expression is the sweeping condemnation of those who are in the habit of putting questions, the facts of which are not palatable or agreeable to the Honourable Members on the Treasury Benches. The fact of the matter is that there is some misunderstanding on the part of Honourable Members now occupying the Treasury Benches as to what the position of Honourable Members is in respect of putting questions. I will refer to Standing Order 14 which lays down the rule:

"A question addressed to a member of Government must relate to the public affairs with which he is officially connected or to a matter of administration for which he is responsible."

The latter portion is very important for the purposes of the present controversy. Probably the Honourable the Finance Member thinks that the Member's privilege of asking for information about any matter is only confined to the matters of public interest or public affairs, as the expression is used in this Standing Order. He forgets that whenever injustice is done in any department of the Government of India or its subordinate offices, it is not only a right but a duty cast upon the Honourable Members of this House to see that justice is done and the rules of equity and good conscience are observed in treating that public servant in that office. I need not remind my Honourable friends that even in the Mother of Parliaments questions relating to individual injustice have been taken up. I may refer to a case which is cited in the *Hindustan Times* of today in which Lord Weir who was head of the Air Ministry punished a lady typist of his department and she was dismissed. That question was taken up by several Members of Parliament and a committee was appointed to go into the question. I do not know what happened but probably justice was done to her. (Interruption from Major Ahmad Nawaz Khan). You know better, Nawab Saheb. Here, a parallel case has arisen where, according to the questioner injustice has been done to a public servant doing his duty in the office of the Honourable the Finance Member. The Honourable Member expected that the questioner should have been supplied with the right information. My submission is that if such a condition is laid upon Honourable Members to secure the right information first and then ask for the information, the privilege loses its value and force. As a matter of fact, whenever any one comes to us for redress of his grievance, we look into it whether his grievance involves any principle of public interest, and we put the question. From the very nature of the case, the information supplied to us is one-sided. We have no access and cannot have any access to the Government file. We cannot be expected to test our information before putting the question. We are to make out a *prima facie* case whether the facts given to us involve certain principles of public interest or do not involve such principles. When once we are satisfied that injustice has been done and that some principle is involved we put the question. It is for those who are in charge of that department to correct our information if it is wrong in any particular. But in this case, the Honourable the Finance Member, while replying to Mr. Sham Lal and making a sweeping remark about some Honourable Members being in the habit of putting questions of that nature, did not make it clear to the Honourable Member where the misrepresentation lay. As a matter of fact when the Honourable Member asked the Honourable the Finance Member to point out the facts which he called misrepresentations, he referred him back to the informer. Is that the attitude of Government towards the Members of this House?

The Honourable Sir James Grigg (Finance Member): Certainly.

An Honourable Member: Certainly not.

Sardar Sant Singh: I am pained to find, Sir, that the Honourable the Finance Member has not taken note of the temper of this House and is still persisting in an attitude which, in my humble opinion, is not the correct attitude towards this House. We are, and, Sir, with your assistance we have, to maintain the dignity of this House. You are the custodian of the dignity, the privileges and the rights of this

[Sardar Sant Singh.]

House. May I ask whether you will permit, or any Honourable Member of this House will permit, that the dignity of this House be lowered in any way? Certainly not. Not a single Member will wish it. We are here to enlarge our privileges in our march towards the freedom of our country, and, whether we have to resort to the painful necessity of censuring an individual Member of the Government or the Government of India as a whole, we cannot permit, situated as we are, a challenge to our rights and our privileges. You, Sir, in the morning, gave another opportunity to the Honourable the Finance Member to review his own attitude and adopt better manners—I should say parliamentary manners—but he refused to do it. That is why you were pleased to permit the motion to be discussed. Personally, I shall only be too pleased to find honourable amends made to those Members of the House towards whom the hint was directed that they are in the habit of asking questions containing untrue statements. May I once more appeal to the Honourable Member himself and to his colleagues on that Bench not to allow this unpleasant controversy to be prolonged, but to make honourable amends to the House? Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim). Motion moved:

“That the Assembly do now adjourn.”

Mr. K. L. Gauba (East Central Punjab. Muhammadan): Sir, I agree with Sardar Sant Singh that this is a motion which should be considered calmly and dispassionately. We have to see what justification there was for the allegations which the Honourable the Finance Member made yesterday. The report in the *Statesman* and the report in other papers also indicate that the Honourable the Finance Member used the words “Honourable Members” generally. Today we are informed that he said “Some Honourable Members.” I am willing to accept that the *Statesman* has not reported correctly.

Some Honourable Members: It never does

Mr. K. L. Gauba: But, Sir, what difference does it make if the Honourable the Finance Member says “Some Honourable Members” without naming those Members? The Honourable the Finance Member has got to tell us who are these Honourable Members and to prove that they have this habit of putting unfounded and improper questions

When the motion was admitted this morning, I looked at the list of questions on the table of the House, and I found there were 330 printed questions in it. I would ask of the Honourable the Finance Member to point out which of those 330 questions come in the category of questions which Members are in the habit of putting,—either as improper questions or questions based upon unfounded reasons.

The question, Sir, of interpellation is a valuable right of this House. The Members of this House are not going to take it from the Honourable the Finance Member as to how they are to put their questions. (Hear, hear.) The Honourable the Finance Member referred to certain Government employees invoking political assistance in order to ventilate their

grievances I agree that there may be cases where a Government employee wants a grievance ventilated, which might not legitimately be ventilated on the floor of this House. But there are hundreds of cases where a Government employee's only means of getting justice is through the Members of this House. I will only give one instance without naming the person. A very humble man in the Railway Department was retired 13 years before his time through a clerical error; his record had not been properly entered. He appealed and appealed to every conceivable person, but got no justice. He came to a Member of this House. There are several cases of that kind, and I think it is the duty of Honourable Members of this House to take up such cases.

I will not keep the House very much longer. I would only refer to page 245 of May's Parliamentary Practice which refers to the answers which Members of Government might give to interpellations addressed to them. It says:

"An answer should be confined to the points contained in the question with such explanation as renders the answer intelligible."

I submit that the Honourable the Finance Member's answer yesterday was entirely irrelevant to the question that was addressed to him. We are not concerned with his lecture to his own Department and to his own officials, but the Honourable the Finance Member went out of his scope in addressing a gratuitous lecture to the Members of this House. All I would say is, just by way of friendly advice to the Honourable the Finance Member, that we will be quite ready to withdraw this motion if he will make amends to Honourable Members. If the Honourable the Finance Member wants consideration from this House he must first show consideration to this House. We have had two or three incidents recently, very unpleasant incidents, all arising from the same quarter. We had the remark addressed to Sir Cowasji Jehangir, one of the Leaders of the Opposition.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot refer to other points, not connected with this motion.

Mr. F. E. James (Madras: European): May I rise to a point of order, Sir? I understand that this motion refers to a specific matter arising out of an answer to a question yesterday: I suggest that no other consideration should enter into this.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has already said so.

Mr. K. L. Gauba: Very well; I accept that. As I said in the beginning, all I have to point out is this: a serious allegation has been made against the Members of this House. If the Honourable the Finance Member can prove it, so much the better. If he cannot, then the only decent, honourable, gentlemanly thing he can do is to apologise to the Members of this House.

Dr. N. B. Khare (Nagpur Division: Non-Muhammadian): Sir, to start with, I thank the Honourable the Finance Member for providing us for our discussion with a first class issue of political importance. He has charged some Honourable Members with the habit of giving publicity to

[Dr. N. B. Khare.]

improper matters in asking questions. I need not say that it is a direct insult hurled by him on this House, and he has dared to do so simply because we are ourselves a nation under political subjection, and he happens to rule over us: that is all: otherwise in an independent country he would not have dared to do so; and he has told us that in the English Civil Service there are different rules. It may be so, it may not be so: we are not concerned with the English Civil Service at all. Conditions in England are certainly different. An Indian government servant in India, whether high or low, has to work under a double handicap; the first handicap is the service itself—he has to serve: the second handicap is that he has to serve under people who dominate over him politically and in every other way and who are foreigners. Under those conditions it is quite easy to imagine to what iniquities and to what insults these government servants may be put; it is, therefore, doubly necessary for this House to protect them. I had the misfortune to be one and I know what that means to my cost. He comes from a foreign country, dominates over us as a Finance Member and he thinks that the Government of India is a close preserve of his, and, therefore, his attitude can be easily compared with that towards a poacher.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must not go into personal matters: he can discuss the question without regard to personalities, as has been done by other Honourable Members.

Dr. N. B. Khare: Sir, this is not a personal matter, it is only a simile. He thinks certainly that it is a close preserve and, therefore, any encroachment which he thinks we make on the rights of the Government of India or their unholy secrets ruffles him and he comes down upon us with his vitriolic outbursts. The House cannot tolerate that. Even though we may be under political subjection, we have not lost our self-respect. We are here to assert it and assert it with all the force and emphasis we can command.

The other day, there was a reference in this House to some mother-in-law. God knows how many mothers-in-law we have got! There is one mother-in-law, the big and cruel one who sits in Whitehall, and there are so many subordinate mothers-in-law here who come and dominate over us. By birthright, we are sons-in-law and this Government of India is our bride to whom we are lawfully wedded. We are kept away from her by these mothers-in-law who so jealously chaperon her: the bride is kept away in such severe seclusion that she has become an excluded area for us. This sort of thing cannot go on for ever and we protest. If it comes to that, we all shall have to turn Garos and marry these mothers-in-law.

Pandit Krishna Kant Malaviya (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, the unseemly scene which we witnessed this morning reminds me of the lines of an Urdu Poet who, it seems, foresaw what the Honourable the Finance Member was going to do this morning. His lines are:

*"Bare gunah barh gaya uzre gunah sh
Dhone se aur damné iman chikut gayá."*

which means, "that the gravity of the mistake or sin was made much more by the way it was sought to be explained away. The garment of truth and honesty which was to be washed clean was made more dirty by the way in which the cleaning was done". As you know, Sir, washing needs a little blue indigo, and I am sure that a little blue blood of courtesy and good manners in the Finance Member would have at least prevented the scene which we witnessed today. The Honourable the Finance Member instead of withdrawing the objectionable remarks, when they were pointed out to him—and when he must have noticed that a large section of this House resented his remarks—said "I stick to what I have said" and something more in that strain. The result naturally is that he sticks to his remarks and this House must, therefore, stick to its position. I for my part do not like incidents like this. I have been to this House before—I was here when Sir Malcolm Hailey was the Leader of the House. I was here when Sir Alexander Muddiman—may his soul rest in peace—was the Leader of the House; I was here when Sir Bhupendra Nath Mitra was leading the House. I have seen the Opposition Benches adorned by stalwarts like Pandit Motilal Nehru who lived and died for us, people like Pandit Madan Mohan Malaviya, Mr. Jinnah, who is even now with us, Sir Purshotamdas Thakurdas and others; but I never had an occasion to witness what we saw this morning. It seems there is something rotten in the state of Denmark. We are bidding good-bye to the tradition, and decorum which used to be observed in this House. The Honourable Members sitting on the Treasury Benches, as well as other friends of mine sitting on this side of the House, will, I hope and trust, be more careful hereafter. It is very natural, Sir, that when people of different shades of political opinion gather together when there are people to look after vested interests and there are others to pull those interests down, when there is a tug-of-war between the have's and the have-not's, feelings sometimes do run high, hot words are exchanged at times, but it has never been witnessed in this House that from hot words we come to blows and scene like the one we are all out to condemn.

An Honourable Member: Not yet.

Pandit Krishna Kant Malaviya: I do not remember to have ever seen things coming to a pass when adjournment motions because necessary or unavoidable. The common practice of gentlemen and amongst gentlemen is to express regret or to apologise as soon as it is known or even feared that you have hurt another bodily or you have hurt his feelings. No one gets up to think whether the other was really hurt or not. It is generally presumed that the other has been hurt, but one has to live and learn, and we have learnt something today. The Honourable the Finance Member refused to withdraw his words even when he was given a chance to do so by you, even after he saw from the attitude of Honourable Members of this House that he did hurt their feelings. Well, Sir, it seems that we have to learn every day etiquette of polite society, and it would not be amiss, Sir, if we could arrange to have a book placed on the table of the House which would teach manners to the Honourable Members sitting on the Treasury Benches. What is most painful, Sir, is that the fortunate few sitting on the Treasury Benches trample down not only the privileges of the Honourable Members, but they in a way trample down the privileges of the Chair as well. I have found, Sir, that when these good friends cannot meet our arguments with arguments, when they find

[Pandit Krishna Kant Malaviya.]

that logic, truth and reason is on the other side, they generally have recourse to executive action, which means the use of executive power, undignified language, lathi charges or lathi blows. When, Sir, they find they cannot touch you, they inflict punishment on some near and dear to you.....

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member is straying away from the point.

Pandit Krishna Kant Malaviya: The question was asked in this House by your permission. When you had approved the question that it was within the four corners of the rules and regulations which govern this House, the Honourable the Finance Member condemned the question in his own way. I am glad he was in a tight corner being unlike the United Provinces Government within the four walls of this House, and he had to eat his words back and apologise to you, even though his apology was preceded by an 'if' which took away the grace of his action. Sir, I beg of you to guard against these encroachments upon the privileges of the Chair. The practice, it seems, is growing and is taking root. The action taken against the *Abhyudaya* for publishing my speech which was allowed by you and which our Secretary has already published.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member should confine himself to the motion before the House.

Pandit Krishna Kant Malaviya: Sir, I am just citing an example of the way in which. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Chair would ask the Honourable Member not to allude to it.

Pandit Krishna Kant Malaviya: Very well, Sir. This is not the first occasion, when Honourable Members of this House have been hit below the belt. We have not forgotten what the Honourable the Home Member said regarding my friend, Mr. Sham Lal. . . .

Mr. President (The Honourable Sir Abdur Rahim): Again the Honourable Member is straying away from the subject.

Pandit Krishna Kant Malaviya: Well, Sir, the Honourable the Finance Member asked my friend, Mr. Sham Lal, to furnish him with the sources of his information. It is open to him to prosecute my friend in the name of the Official Secrets' Act, or if there is no such Act, he can easily have one passed and then prosecute him, but he has no right to ask the Honourable Members of this House to furnish him with the sources of their information. My friend charged him with having recourse to confidential official files. Sir, we are here to right wrongs, to fight for those who cannot defend themselves. I say, my friend would have been false to himself, to his duties and to this House if he had not stood up for the protection of the weak and expose the high-handedness of the official concerned, once he was in possession of these facts. It is immaterial to me how he got the information. What are we here for, and

why should we be here if we cannot do even this little bit and protect the unfortunate brethren of ours who daily receive kicks from their superiors and cannot complain? They are poor, they have families to support, they cannot tender resignations and leave the service, and it is up to us to see that they are treated with due respect and are not treated as inferior beings. Our tin gods need a lesson in manners. They have to be told, Sir, that if they do not behave properly and keep within bounds, they will be paid back in their own coins.

The Honourable the Finance Member thought it fit to withdraw his remarks so far as the Chair was concerned. He knows he cannot remain in the House if he insults the Chair, but he thinks that he can overlord us and continue to sit on his Bench even after insulting the Honourable Members sitting on this side of the House. This he should not be allowed to do. I, for my part, Sir, would only ask him to express regret for his words, when Honourable Members on this side of the House think and believe that they have been hurt by his words. This is only due from a gentleman, and as a gentleman he should express regret and apologise to the Honourable Members. Nothing will be lost, courtesy and good manners never fail and they always pay.

Captain Sardar Sher Muhammad Khan (Nominated Non-Official): Sir, I have been all my life a firm believer in discipline, and I know what harmful results will follow if proper discipline is not maintained even in civil administration. (*An Honourable Member*: "Even in this House.") Discipline is as necessary in civil administration as it is in the army, but lack of discipline in the army will probably bring in invaders from the Frontier to India, and in the meantime our army may be ready to resist, but lack of discipline in civil administration is very difficult. . . .

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Especially in this House.

Captain Sardar Sher Muhammad Khan: That is why Honourable Members are getting out of discipline. They do not know anything about discipline. (*An Honourable Member*: "Including you".) Lack or breach of discipline in this House, to my mind, is an internal rebellion in the House. ("Hear, hear" from Opposition Benches.) Breach of discipline in civil administration will create enemies, and if Honourable Members take grievances from discontented subordinates in every department without considering whether really public interests are served in any way and put questions, then it is the duty of every Member of Government to protect his own department. . . .

Sardar Sant Singh: I rise to a point of order, Sir. How is this relevant to the matter under discussion?

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Captain Sardar Sher Muhammad Khan: To paralyse the civil administration, we have only to create discontent and breach of discipline in the rank and file against the highest authority. The present case seems

[Captain Sardar Sher Muhammad Khan.]

to me to be one of internal discontent, and the Honourable the Finance Member is within his right to resist any encroachment on secret files. Even my Honourable friends over there, if they are in charge of any big department, will not allow any outsider to encroach upon their secret files. (Interruption.) If officials or subordinates can approach Honourable Members with personal grievances and if Honourable Members can have access to these Government files, the matter will not stop there. We have heard of some leakage in the budget proposals, we have heard that some people have benefitted by that. If such things were allowed, Honourable Members must know what the result would be. It has been the custom of the House to keep the secrets of any department which are not to be divulged, but if they are to be obtained through these methods, that must be deprecated. If Honourable Members on the opposite side, who have great sacrifices to their credit in the cause of the country and who have suffered heavily both in physique and comforts and financially during the last fifteen years, are to be a party to such a thing as this—it is really very unfair for them to be such a party. I know they have come here to give as much trouble to Government as they can, but one never appreciates the use of underhand methods. This is a worst case to enable subordinates to get the upper hand of the Legislature. No excuse can tolerate such a conduct. A study of the history of the European countries shows that, wherever democracy has been abused, the result has been to place a dictator in charge of the administration. I hope my friends would not like democracy to be replaced by a dictatorship. Now, Sir, without being personal and without meaning any disrespect to any Member of the House, I appeal to the good sense of the House to support the dignity of administration. It would be more dignified for the Mover to withdraw this motion, but I know the personal element has come, and it is rather difficult for Members to vote with their conscience.

Mr. F. E. James: I think that a certain amount of irrelevant material has been imported into this discussion, and I wish, in the very few words which I desire to speak, to bring the discussion back to what I understand to be the real issue involved in this adjournment motion. In the first place, I understand that no question of privilege is involved. . . .

An Honourable Member: Good manners!

Mr. F. E. James: . . . and, in the second place, I understand that the merits of the particular question which formed the subject of the question and answer yesterday are not in the picture. If the merits of that particular subject were under discussion I would say unhesitatingly that, on the merits of that point, quite apart from the precise wording of the answer, the Honourable the Finance Member has performed a public service of great merit in dealing definitely with the subject-matter of that question. (Interruption.) On the merits of the case we certainly are of his view that one of the most serious dangers to decent administration in India or in any other country. . . .

An Honourable Member: Is himself!

Mr. F. E. James: . . . is the habit—one of the most serious dangers to decent debate in this House is the interruptions of my Honourable

friends—we certainly agree with the Honourable the Finance Member in his view that one of the most serious dangers to decent administration in any country is the habit, where it exists, of invoking political assistance in the interests of individual Government servants. My Honourable friend, Sardar Sant Singh, quoted a case which was, if I may say so, not comparable to the case which was the subject of this particular question. It is certainly improper for any Government servant, whether he is a subordinate, or whether he is a superior, while he is in service, to invoke political assistance in the redress of his grievance as long as there are remedies laid down and as long as he is under the discipline of the service of which he is a member. I do not think that anybody can possibly complain about that. As I say, if the merits of this question were under consideration, that is the view that I believe frankly would be taken by most Members in this House to whatever party they belong. But, Sir, unfortunately, or perhaps fortunately, the merits of the question from that point of view are not now under discussion.

The Honourable Sir James Grigg: Yes, they are.

Mr. F. E. James: Perhaps my Honourable friend will allow me to proceed; he will have a chance to reply afterwards. But, as I understood the point of the discussion this morning when you were pleased to admit this motion, it was to be limited to the question as to whether a certain extract from the answer to the question yesterday cast a reflection on a Member or any body of Members in this House.

Mr. President (The Honourable Sir Abdur Rahim): There is also another passage as regards political assistance.

"In my view, one of the most serious dangers to decent administration in India is the habit of invoking political assistance . . ."

The Chair has included that at the instance of the Leader of the Opposition.

Mr. F. E. James: Then that makes no difference whatever to my general argument. I have already dealt with the second extract, namely, "In my view one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants." We stand by that, by every word of it. We believe it is absolutely true; we believe it is absolutely necessary in any country which pretends to have any sort of decent administration, and I may say I believe that my Honourable friends, if and when they assume office anywhere, will want decent administration under their supervision and will come to precisely the same conclusion.

Now, Sir, with regard to the other extract, the words I have before me are those which are contained in a copy which is, I believe, the report from the Official Reporter's Office:

"I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants."

Now, Sir, it is suggested that those words are in fact a reflection upon Honourable Members of this House. The Honourable the Finance Member this morning was quick to withdraw any suggestion that words which he had uttered were meant to convey any reflection upon you Sir, as the

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occupant of that Chair and as the custodian of the dignity and privileges of this House. I cannot believe that it was the intention of the Honourable the Finance Member to cast a general reflection upon Members of this House. It has always been the tradition in this House that when we call one another 'Honourable Members', we assume for each Member honourable motives; and I cannot believe that my Honourable friend, the Finance Member, willingly cast a general reflection, on . . .

An Honourable Member: Let him say so.

Mr. F. E. James: . . . the propriety of the conduct of Members of this House. I would ask him, if that is not the case, then surely the remedy would not be a difficult one. I would ask the House that if in accordance with these particular words there were some indication from the Honourable the Finance Member that no general reflection upon the conduct of Honourable Members of this House is intended, then as far as that part of the extract from the Honourable Member's answers is concerned, the matter may be dropped. I would only say in conclusion that it is easy in the cut and thrust of political argument sometimes to over-emphasize a point of view. It is true that these particular words are taken from a written and printed statement and, therefore, it is to be assumed that they have a deliberation which perhaps is not invested in words which are used in answer to supplementary questions. But I am reluctant to believe that there is, in these words, any intention to do what I believe to be improper, namely, to cast a general reflection upon the Members of this House. If that is the case, then I do hope that the Honourable the Finance Member, in this respect, will make some modification. Surely, this reflection which appears to have been imported into these words by the interpretation of various parts of the House might be withdrawn and the matter might be dropped.

Mr. S. Salyamurti (Madras City: Non-Muhammadian Urban): Mr. President, in more senses than one, I genuinely regret this debate. I had hoped that the Honourable the Finance Member would speak, and I would follow him; but quite unusually he is keeping very silent, with his tongue in his cheek. If he follows this example oftener than he does, then it would be better for him, and for this side of the House. Mr. President, this is an unusual debate in more senses than one. Here are a set of gentlemen whom we cannot remove. We defeat them week after week, month after month and yet nothing happens to them, and they sit there and flourish, as the green-bay tree. Here we are representing tens of thousands and lakhs of our countrymen and having their mandate, and we can do nothing and we get nothing out of these people. If human nature were to assert itself, then we should be throwing books, ink-bottles and order papers at them, and you should be calling us to order, whereas they in the consciousness of their strength, should at least put on an amiable appearance; but whom the Gods wish to destroy, Mr. President, they first turn mad; and I think the Honourable the Finance Member's malady is symptomatic of the decay of the Government of India. They know they are going, and, therefore, they say these things. But, frankly, I am not surprised. I am reliably informed that the Honourable the Finance Member once told His Excellency the Viceroy: "Your Excellency, you are talking through your hat."

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think these private talks can be referred to.

Mr. S. Satyamurti: I was simply commenting on the habitual lapse of language of my Honourable friend, the Finance Member, and, therefore, I think he really has made the position worse than it need have been, had he followed the sedate, wise, calm and deliberate advice of my Honourable friend from Madras. Now, Sir, I would have no quarrel with my friend from Madras, if the Honourable the Finance Member had either yesterday or today seen his way to modify his answer to the extent to which this House has a right to demand. You, Sir, in the generosity of your heart, were willing to give him an opportunity this morning. He did not take advantage of that opportunity. He had only one lucid interval, in his angry madness, and that was when he apologised to you. I congratulate him on that. We have vindicated the honour of the Chair. You are the custodian of the dignity and the privileges of this House. We look to you and to this House to vindicate the dignity, the honour, and the privileges of this House, against these attacks on its privileges by an occupant of the Treasury Bench.

Now, what is the point at issue, Sir? I shall read only the answers to the question. He says with regard to (a), there is an instruction; (b) and (c). *In his view*, the Deputy Secretary did not use language of the nature suggested. That is a matter of opinion. Then, Sir, he has used the word "misrepresentation" not once, but twice. He did it yesterday. He did it today. I regret I was not alert enough to call your attention to the unparliamentary nature of that word. Now, Sir, I shall draw his attention to May's Parliamentary Practice. I may as well read that sentence:

"The use of temperate and decorous language is never more desirable than when a member is canvassing the opinions and the conduct of his opponents in debate. The imputation of bad motives or motives different from those intended, misrepresenting the language of another or accusing him in his turn of *misrepresentation*, all these are unparliamentary and call for prompt interference."

Then, my friend talked of the English Civil Service and various rules thereof. May I ask him one question? Is there a committee called the Whitley Committee there on which Government servants are also represented and their interests are safeguarded? Is there any such committee in this country? Was there a demand? Was it turned down? Is he satisfied that all the subordinate servants get absolute justice and that there is no injustice at all? Does he think that people who suffer injustice ought not to ventilate it? I do not encourage the habit of public servants seeking the assistance of legislatures; and if my Honourable friend had used temperate language and criticised an Honourable Member's particular question in courteous, mild and decorous language, things might have been different; but I do strongly object and the House strongly objects to my friend taking the opportunity of answering a question to use unparliamentary language. You have ruled consistently, and we have always obeyed your ruling instinctively, that question time ought not to be used for any purpose other than putting questions, and getting information, but my friend deliberately says:

"I should like to take this opportunity of protesting against the habit of some 5 P.M. Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants."

[Mr. S. Satyamurti.]

Before I comment on that, I want to draw your attention and the attention of this Honourable House to two Rules, or Standing Orders rather, on that question which are a complete answer to this charge. The first Standing Order is Standing Order No. 15, which simply says in part (2) .

"In order that a question may be admissible, it must satisfy the following conditions, namely :

* * * *

(2) if it contains a statement by the member himself, he shall make himself responsible for the accuracy of the statement."

An Honourable Member: Read the next.

Mr. S. Satyamurti: My Honourable friend asked a question of my Honourable friend, the Finance Member, viz. :

"Is it a fact that the Deputy Secretary wrote the word 'stupid' against the note of a gazetted officer of his Department?"

He simply asked a question: if he really made a statement, and, on that, proceeded to base his case, that would have been a different matter. At that rate, we can ask no questions, if we have got complete information on all the allegations made. What is the use of asking questions, then? I know all about it, and you will naturally rule it out and say : "You can not give information, but only ask for information."

The other Standing Order is Standing Order 16 on which I also rely .

"16. The President shall decide whether a question is or is not admissible under these standing orders, and may disallow any question when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Assembly, or is in contravention of these standing orders . . ."

Now, Sir, all these questions have escaped the eyes of the President; that is to say, the Chair is given the power of disallowing questions which are an abuse of the right of questioning. My friend says, on that, in spite of it, some Members indulge in this habit; now that is undoubtedly casting a reflection on the Members,—that they somehow manage to escape the eyes of the Chair and indulge in a habit which the Chair is bound to protect the House against. I submit, Sir, that that is wrong, and I ask my friend to suggest what is the percentage of questions on which he can honestly make this criticism. Then, Sir, the next sentence is not relevant, because you have ruled it out as a matter which cannot be taken up during this debate. But the next point I want to make is this. If my Honourable friend had added :

"Honourable Members sometimes unintentionally give publicity to these allegations",

there might have been something to be said for it; but, as I read it, it is a charge of a deliberate moral turpitude on the part of Honourable Members, that they intentionally put questions which they know are based on unfounded and improper complaints

The Honourable Sir James Grigg: That is not at all what I said.

Mr. S. Satyamurti: Wait; I know you will go to ruin. (Laughter.) Sir, there is a story of an Irishman who said : "I will be drowned, you shall not do anything for me". Sir, in spite of my friend from Madras,

I know what will happen. (Hear, hear.) If the answer had been: "Some Honourable Members sometimes unintentionally give publicity to these unfounded allegations", the feeling aroused would not have been so great, but my charge is, as I read the Honourable Member's answer, that it is an allegation and imputation on his part of moral turpitude of some Honourable Members of this House. Sir, we cannot stand it, and we will not stand it. Then, Sir, he said in the last sentence of that answer:

"In my view one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants."

I agree, Sir; but may I ask my friend to turn his eyes to the members of the Heaven-born service. Sir, there is no political service better organized than the I. C. S. Every time their case gets heard first, it is their interests which are protected first, and the views and interests of the people of India count for nothing at all. They are allowed to organize themselves, to send representations, to carry on agitation, and to bring various kinds of pressure to bear, and will my Honourable friend dissolve all those Associations and stop all those activities? (Hear, hear.) Therefore, it seems to me that to put this responsibility on us of encouraging Government servants to seek political assistance is to blame the wrong quarters. I think the I. C. S., for instance, is grossly guilty already in this matter. Moreover, I want to draw your attention to one ruling in the Extract from the Rulings of the Chair which are printed in this book which, although not *ad idem* with this point, still throws some light. At page 360, it says:

"The Chair is not concerned with the private opinion which one Member holds regarding the good faith of another; but when private opinion finds public expression in the suggestion that officials mislead the Assembly by not being straightforward, we are perilously near the point where reasoned discussion becomes impossible owing to the intrusion of personal feeling and personal charges that are not easily proved or disproved. To this the Chair cannot turn a deaf ear. To pass in silence expressions of that kind would create a precedent which would open the straight road to recrimination and consequently to disorder. Hence the rigour with which expressions, commonly called *unparliamentary*, must be scrutinised by the President."

Sir, amending those words and applying them here:

"The House is not concerned with the private opinion that my Honourable friend holds regarding many of us, but when that private opinion finds public expression in the suggestion that some Honourable Members mislead the Assembly by not being straightforward, we are perilously near the point where reasoned discussion becomes impossible owing to the intrusion of personal feeling and personal charges that are not easily proved or disproved."

I, therefore, appeal to all Honourable Members of this House on whatever Benches they sit, including the European Benches, to help in protecting in this matter the dignity and the prestige of this House. (Loud Applause.)

Then, Sir, there is one point on which I want to make a few remarks in order to bring home the rule to the Honourable Member. This morning we had a long discussion between you and the Honourable the Finance Member when this matter came up. Then, Sir, he said:

"I am entitled to say that information must have been obtained by improper means, either improper on the Honourable Member's part or improper on the part of those who gave him the information,"

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and he persisted in that, Sir, and although you suggested to him, more or less broadly, that he might see his way to withdraw the expression, he insisted, and he persisted in that course. It seems to me, Sir, that the position of Honourable Members in this House who have got to do their work under terrible handicaps will become almost impossible, if Honourable Members occupying the Treasury Benches are to hold a threat to us, or to abuse us under the cover of privileges of the House, and also suggest that we are in the habit of obtaining improper information, and using it in order to ventilate individual grievances. On behalf of the non-official Members of this House, Sir, I want to assure this House that we have no desire here except to do our best by those who have sent us here; and if we have used the right of interpellation, it is to get information, in order that we may explain to the people exactly the actions and the motives of the Government. Reading the speech of the Honourable the Finance Member of yesterday, reading his comments to-day, and reading them all together, there can be no hesitation on the part of any Honourable Member that this is a deliberate attempt on the part of the Honourable the Finance Member to coerce or frighten some Honourable Members and to lower the dignity and the prestige of the House; and, in the name of the dignity and prestige of this Honourable House, I appeal to all Honourable Members to join with us in passing this vote of censure on the Government, so that this scene may not be repeated hereafter. (Loud Applause.)

Several Honourable Members: The question may now be put.

The Honourable Sir Henry Craik (Home Member): Sir, I join in the Honourable the Mover's hope that this subject, in the small time that remains, may still be discussed dispassionately, and, if possible, in an impersonal manner, and I regret that the last speaker should have kept his observations so very much on the personal plane. I regret, too, that he should have accused us on these Benches of treating him and his friends on those Benches with discourtesy. I must say that that struck me as somewhat ironical, because, surely, if you, Sir, are compelled to call the House to order, then eleven times out of twelve, your appeal is directed to those Benches, and not these. The Honourable Member also thought fit to inform us that the question hour was to be reserved and devoted to eliciting information on questions of facts. For one who occupies three-fourths of every question hour in a kind of police court cross-examination of the Members sitting on the Treasury Benches, that strikes me as a little ironical.

Mr. S. Satyamurti: That is the courtesy which Government show us!

The Honourable Sir Henry Craik: Why not?

The Honourable Sir Nripendra Sircar: The Honourable Member called us pettifogging and doing "dirty tricks".

Mr. S. Satyamurti: Then let us be quits!

The Honourable Sir Henry Craik: This question has an importance far greater than its personal aspect, and it seems to me that there are two points of view from which it should be approached. The first point of view and that which has been prominent in most of the speeches delivered this evening is from the point of view of the rights of Members of this House.

Now, Sir, it is not denied, I do not think anybody has denied for a moment the rights of Members of this House to ask questions on matters of public concern. That right is general and restricted only by the exclusion under the rules of certain subjects and by the right of the Chair to decide what is or is not a matter of public concern. That right, Sir, is undoubted and was never for a moment denied and that point is not in issue at all. But, Sir, there is another and in my opinion a far more important side to this question and that is the importance of safeguarding the efficiency, the discipline and the purity of public administration. It is from that point of view that I, in contrast to other speakers, desire for a few moments to examine the motion before the House. Sir, it is well known to most students of English parliamentary history that for many years down to as late as the end of the 18th century political influence carried a very great weight in the matter of appointments and promotions in the public services and it was not till after a long struggle lasting the better part of the century that the public administration has been freed from that kind of influence.

Dr. T. S. S. Rajan (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): What has this to do with the motion for adjournment before the House?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is speaking with reference to the second passage in the answer.

The Honourable Sir Henry Craik: It was not till about the year 1860 or thereabouts that political influence was eliminated, not only in the matter of appointment to the public service, but also in the matter of what I may call generally promotion in and the ventilation of grievances in the public administration. It was, I think, in the year 1867 that the Treasury and certain other great Departments issued an order or an instruction to their subordinates explicitly discouraging in the strongest possible terms the invocation of any kind of political influence in order to bring it to bear upon a matter of departmental or service grievance. The tendency for the Legislatures to interfere in service and departmental matters came into prominence very early in the history of reforms in India, and that very eminent Parliamentarian, Sir Frederic Whyte, who was the First Speaker of this Assembly, soon after he assumed his office, had occasion to note on this matter. Writing some eight or nine months after his assumption of office, he said "that he noticed that it is the practice of clerks and other subordinate officers in Government employment to approach Members of the Legislature and to ask them to air any grievances they may have on the question paper of the Legislative Assembly. There is an administrative rule in England by which all candidates for office under Government are warned that any attempt to enlist the influence of Members of Parliament in favour of their candidature may entail disqualification and certainly will not promote their

[Sir Henry Craik.]

success". That was the view of the President of the Assembly, a gentleman who was selected for that great office by virtue of his intimate acquaintance and close study of parliamentary conventions and procedure. He went so far as to suggest that questions on these subjects should be disallowed by the Chair. That suggestion was put forward tentatively and was discussed by him at a Conference of the Presidents of other Legislatures in India. After that conference, he noted:

"We agreed that questions likely to interfere with the discipline or proper working of a Department were undesirable and one President (*that is to say, President of one provincial Legislative Council*) went so far as to say that he disallowed them as not being of public concern. I think this is a sound view. There are presumably means whereby subordinates can approach the Head of an office when they have a real grievance: If so, such questions cannot become 'of public concern' unless and until the prescribed method has been tried and failed—and I would add, unless the grievance is substantial."

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): I understand that the Honourable the Home Member is reading from the proceedings of the Presidents' Conference. Is it in order for him to read from a confidential document? It is always understood that the proceedings of the Presidents' Conference are to be kept confidential.

Mr. President (The Honourable Sir Abdur Rahim): That is so. The Proceedings of the Presidents' Conference are confidential documents.

The Honourable Sir Henry Craik: This is not a quotation from the Proceedings of the Presidents' Conference. This is a quotation from a note that the President of the Assembly sent to Government.

Mr. S. Satyamurti: On a point of order, Sir. Can my Honourable friend quote from a document which is not an official document and which is not available to Members of this House. He must place it on the table of the House, if he wants to use it.

Mr. President (The Honourable Sir Abdur Rahim): Is the Honourable Member willing to place it on the table of the House?

The Honourable Sir Henry Craik: I am quite ready to do that. I quite understand that such a ruling from so eminent an authority is not altogether palatable to Honourable Members opposite.

Mr. S. Satyamurti: That is not the idea. We only want to see what the document is.

The Honourable Sir Henry Craik: The suggestion that was then tentatively put forward by Sir Frederic Whyte was that such questions should be disallowed. That was not ultimately done as that would possibly have been too great an interference with the right of interpellation. (Hear, hear.) But it was decided that such questions were most undesirable and should be discouraged so far as possible. And with that object in view the Government issued many years ago instructions to their Departments designed to discourage as far as possible their employees

from attempting to get such subjects as their personal grievances ventilated on the floor of the House. That, I think, is a perfect healthy and perfectly sound principle. It was from that point of view that my Honourable friend the Finance Member expressed his strong remonstrance with the question that was put to him by the Honourable Member from Rohtak yesterday. It is, I submit, Sir, a matter of even greater importance than the right of Members of this House to ask questions. It involves the vital principle of securing the complete impartiality and the complete freedom from political influence of the administrative services. That is a far more important question than any that has been raised so far in this debate.

Sardar Sant Singh: May I know if it overrides the Standing Orders and the rules laid down?

The Honourable Sir Henry Craik: I have tried to explain the position, but apparently my Honourable friend was not able to follow me. I have said that a suggestion was made to disallow questions regarding individual grievances but that suggestion was only tentatively put forward. It was decided that such questions were most undesirable and should be discouraged; and that has been done.

Now, Sir, let me also remind Honourable Members that if they enjoy this very wide right of interpellation on matters of public concern, that right surely carries with it a corresponding obligation, namely, that the right should be used with discretion and with a due sense of propriety. And I submit, Sir, that some Honourable Members occasionally appear to forget what is a very firmly established convention in Parliament in England that any member making any allegation, specially an allegation against a public servant, in the course of his question is responsible for the correctness of that allegation. That seems to me a perfectly essential convention. It is embodied in our own standing orders and it should be far more generally respected than it is. Only this morning a supplementary question was addressed to me when I was asked "whether a certain officer, because he had published in the course of an official document certain remarks, was not pushed out of his appointment and sent back to an inferior appointment". That was, I submit, a completely incorrect suggestion which ought never to have been made; the fact being that the officer was at the time acting in a higher appointment for another officer on leave and that he simply reverted to his original appointment in the ordinary course when the permanent incumbent returned from leave. If that convention which I have quoted were more strictly observed, that the questioner assumes responsibility for the accuracy of any allegation contained in his question, no such question could or should ever have been put.

And may I add this, that greatly as I respect and desire to maintain the privileges of Members of this House to ask questions and indeed to enjoy the other privileges which they do enjoy, I do suggest that the ventilation of petty personal grievances, especially when done, as I think I can fairly say it was done in this case, on the wholly *ex-parte* and untested statement of an individual with a grievance, does not add to the dignity or credit of this Assembly? The washing of dirty linen in public is not a pleasant spectacle for the spectator. We have provided a machinery for the redress of grievances. The Honourable Member

[Sir Henry Craik.]

from Madras asked if there is a Whitley Commission in this country. Of course there is not, but there is the Public Service Commission which is the proper machinery to investigate, or to advise on or in some cases to adjudicate on service grievances. So long as that body exists, I venture to suggest that the proper way in which redress should be sought for grievances is through the machinery that is provided and not in public in this House on the strength of unsupported and completely untested statements. Now, Sir, on that view of the case.....

Several Honourable Members: The Honourable Member has exceeded his time.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should finish his speech now.

The Honourable Sir Henry Craik: I submit that the view of the case which I have put before the House is one of far greater importance than the view put forward by the preceding speakers: and I venture to suggest that on that view the person whose conduct should come under review is not my Honourable friend the Finance Member but the person who put these questions without in any way taking the trouble to investigate or test the completely untrue allegations made to him by an interested party.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions Muhammadan Rural): Sir, it is difficult indeed to speak on a motion like this. I have no doubt that the motion has been put in a very clever manner. As soon as the question of casting a reflection upon the Honourable Members of the House was introduced in the motion, naturally it created a wave of emotion amongst the Members. Sir, we have, no doubt, got certain privileges, we have got certain rights, and certainly we ought to be very jealous and very scrupulous in safeguarding our rights and privileges. In fact you, Sir, are the custodian not only of our rights and privileges but also of the dignity of this House. At the same time, Sir, we ought to know that as we have got certain rights and privileges we have also got certain responsibilities upon our shoulders, and we must remember that to the extent to which we realise and discharge our responsibilities, to the same extent will our rights and privileges be safeguarded. Now, Sir, we should discuss this question very coolly and calmly. We should not be carried away merely by sentiments or merely by the phrase that the dignity of the House has been attacked or that reflection was cast on the Members of the House. Sir, we must do unto others as we wish to be done by. If we go into the proceedings of the House from day to day, if we look into the interjections and supplementary questions, the cajoling and hampering which Honourable Members of the House receive from Honourable Members on my right when a speaker gets up and speaks something which is not palatable to them, I think everybody will agree with me when I say that we are not realising our responsibility as we ought to, and we have not on occasions behaved in a dignified manner as Members of this Honourable House ought to do. Sir, we have got to see now very calmly and dispassionately whether the words used by the Honourable the Finance Member really cast a reflection upon the Honourable Members of the House as such, whether they can be interpreted as

casting any reflection upon the *bona fides* of the Honourable Members of this House. Now, Sir, the words used by the Honourable the Finance Member, to which exception is taken, these:

"I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants."

Now, if the allegations contained in this statement are correct, if it can be proved that certain Honourable Members abuse the right of putting questions and base their questions on information which is not correct and credible, then I think the Honourable the Finance Member was perfectly justified in making the remarks which he did, and we should only thank ourselves for the indignity which we have brought upon this House.

The Honourable the Home Member has just quoted an example of a question which was put to him this morning. My friend, Mr. Gauba, asked us if in the list of 300 and odd questions there was a single question of the nature complained against. I will point out to him only one question, because I do not want to take up the time of this House—but if I go through the bundle of questions I can show him more than a dozen of them.

Mr. K. L. Gauba: On a point of personal explanation, Sir. It is not that an individual question has to be shown; it is the habit of Members that has to be established.

Sir Muhammad Yakub: Quite right, Probably my friend knows that custom can only be proved by quoting numerous examples of the act being done by individuals. As I said, the Honourable the Home Member quoted one example. I will, with your permission quote another example. My friend, the Mover of this motion, this morning, asked a number of questions about broadcasting in Delhi, and he was so much led away by his anti-Muslim mentality that he went to the length of saying that five members of one family were employed. . . .

Sardar Sant Singh: Not a single question of mine contained a word "Muslim" or "anti-Muslim". My friend is absolutely wrong. Probably he got his cue from the broadcasting station.

Sir Muhammad Yakub: I knew what he meant and every Member of this House knew what he.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member disclaims any such intention.

Sir Muhammad Yakub: In putting that question, he was stating a fact for which there was absolutely no foundation; it was based on—I should say—the creation of his own imagination and nothing more. If in two speeches you can point out two questions which were based on this sort of information, you will find, if you scrutinise this bundle of questions, dozens and dozens—even hundreds—of them based on mere imagination and meagre information. I ask: "Is it right, is it proper, is it dignified, on the part of Honourable Members, when they claim to be fully

[Sir Muhammad Yakub.]

qualified to shoulder the responsibility of governing our country, and are going soon to take the responsibility for the government of this country in their own hands to behave in this way and then to say that their dignity has been assailed?" (Interruptions.) From the interjections which are being made by Honourable Members on my right, one can see like daylight that they make false aspersions, attributing motives to the Honourable Members of this House, and then they do not say that the dignity of the House has been assailed.

The other point to which exception was taken by Honourable Members supporting this motion is this. The Honourable the Finance Member said

"In my view, one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individual Government servants."

Now, I cannot understand how there can be any aspersion in this on Honourable Members of this House. On reading this I thought that the Finance Member wanted to show that there were certain Government servants who invoked the assistance of Honourable Members of this House—it was a remark against the Government servants and not against the Honourable Members of this House. Therefore, it cannot be said that he meant any aspersion on the Honourable Members of this House.

Sir, several Honourable Members have laid stress upon the fact that you passed these questions and that if the Honourable the President admits a question, its propriety is guaranteed. I beg to submit that mere admission of a question by the Honourable the President does not mean that the question is based on authenticated or full information. In fact, the President has only to see that the question is within the four corners of the rules and regulations. It is not the responsibility of the President to find out also, whether questions are based on proper information or not. Honourable Members are, perhaps, laying a great burden on the Chair if they expect the Honourable the President to scrutinise every question in the way they want him to do.

My friend, Mr. Satyamurti, of all Members, reminded us that the question hour should be devoted only to putting questions and giving answers. If he will kindly read the supplementary questions which he puts every day and the number of argumentative questions which so often you have to disallow,

Mr. S. Satyamurti: Often!

Sir Muhammad Yakub: It is difficult for the Honourable the President to stop, every minute, an Honourable Member who puts argumentative questions and supplementary questions which have nothing to do with the main question. It is surprising that an Honourable Member like him should point out that the question hour should be devoted to questions and answers only. Example is better than precept, and I hope that my Honourable friend, Mr. Satyamurti, from to-morrow, will act upon the sermon which he has preached to us and will not take so much time in putting irrelevant supplementary questions.

Several Honourable Members: His time is up.

Mr. President (The Honourable Sir Abdur Rahim) The Honourable Member's time is up.

Sir Muhammad Yakub: I think we would be stultifying ourselves and we would be lowering the dignity of the House if we were to push a motion like this to vote. With these remarks, I oppose the motion.

Several Honourable Members: The question may now be put.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, I do not desire to deprive my Honourable friend of the right of reply under any circumstances. I regret, I have to take part in this debate. I am one of those fortunate persons who never put questions. Therefore, I can speak without being challenged from the other side. I trust my Honourable friend will not misunderstand my speaking today or believe that it is due to the few words that passed between us the other day.

To come to the point, and not to side-track it, as has been attempted by some Honourable Members, the point is, should a Member of Government, in answer to a question, lay down the law to Honourable Members on this side of the House? (*Opposition cries of "hear, hear".*) That is one of the issues. Whether he does it politely or in the rough and ready manner, usual with my Honourable friend, is another question. The whole point is, should he do so? By all means, he is entitled to lay down the law amongst the clerks. There he can. But let me remind my Honourable friend that it is most unusual to try and lay down the law to Honourable Members on this side of the House. (*Opposition cries of "Hear, hear".*) Now, I fully realise—and I say it honestly and sincerely—the lack of experience of my Honourable friend. (Laughter.) I realise that he has not been in a House of Legislature for very long. I would beg of him to try and emulate the manners, the ways of speech of his great predecessors, some of whom were mentioned today. Let us get back to the days of Hailey, Muddiman and Vincent on the Government Benches. Let us get back to traditions of those days and let there be a better atmosphere in this Honourable House, which is much more needed today than it was ever before. We shall not get that better atmosphere if we get answers such as we have received, and if the rules are violated in the manner we have seen. Now, there is not the slightest doubt from the answers given today that the Honourable Member meant to say that there are some Honourable Members on this side of the House who deliberately put questions knowing them to be unfounded and based on wrong facts.

The Honourable Sir James Grigg: There is nothing about "deliberately" in my answer at all.

Sir Cowasji Jehangir: Your answer was read out today and also what you said this morning.

The Honourable Sir James Grigg: I will read it again.

Sir Cowasji Jehangir: What the Honourable Member said this morning was read out. Let me read this out and there can be no other interpretation of the words used:

"I should like to take this opportunity of protesting against the habit of some honourable members giving publicity to all kinds of unfounded and improper complaints."

[Sir Cowasji Jehangir.]

If those complaints were unfounded and improper, but if they were innocently made, there is nothing to complain about. . . .

The Honourable Sir James Grigg: Indeed, yes.

Sir Cowasji Jehangir: They may be unfounded and innocently made: then there can be no complaint.

The Honourable Sir Henry Craik: Certainly

Sir Cowasji Jehangir: There could have been a cause for complaint if it was deliberately improper. . . .

The Honourable Sir Nripendra Sircar: Nothing of the kind, it may be irresponsible.

Sir Cowasji Jehangir: That is exactly what my Honourable friend said. If that was not so, what did my Honourable friend mean to convey; why does he not say so and apologise? Why does he not withdraw it? Why does he not withdraw the insinuation which this side of the House contend his words imply? Let him follow the advice of my Honourable friend, Mr. James, from Madras, and let him say openly that this is not what he meant to do: he did not mean to hurt anybody's feelings and he would be the last person to do so. Knowing my Honourable friend as I do, sometimes he can be rather rough with his tongue. .

The Honourable Sir James Grigg: But not patronising: never.

Sir Cowasji Jehangir: That is exactly what he is. That is what is resented. In our private houses, my Honourable friend and I can say what we like; but when it comes to speaking in this Assembly, he must forget the language people are accustomed to use amongst themselves and adopt the language of Members of the front Treasury Bench. Let me now appeal to him that if that is not what he meant, if he did not mean to hurt the feelings of anybody, let him withdraw it: the thing is over.

Several Honourable Members: The question may now be put.

The Honourable Sir James Grigg: You, Sir, have ruled that this discussion must be confined to two quite narrow grounds: first, the remarks I made about some Members of the Assembly, and, secondly, my promise to punish Government servants under my control.

Mr. President (The Honourable Sir Abdur Rahim): Not that one: this sentence:

"In my view, one of the most serious dangers to decent administration in India is the habit of invoking political assistance in the interests of individuals."

The Honourable Sir James Grigg: Very well, Sir—the habit of individual Government servants invoking political assistance in promoting their individual fortunes or ventilating their grievances. But, with your permission, Sir, I should like to repeat one assurance which I gave this morning. The idea of my having been represented as casting reflections upon you,

Sir, has caused me great distress, and as I said this morning, if anything I said has been so taken by you, I unhesitatingly withdraw it and apologise for having said it. You were good enough to accept this assurance this morning and I am very grateful to you for that, particularly as it relieves me from having to combat the attack that has been sought to be pressed behind the shelter of your inviolable person. Now, we will come to the first part of the discussion. Under Standing Order 15 (2)—if I may read it out—"if it contains a statement by the Member himself, he shall make himself responsible for the accuracy of the statement". Now, I will also quote again the ruling of one of your predecessors, which I quoted this morning: these passages are very relevant.

"I observe from the supplementary questions that have been asked that there is a certain amount of feeling in the House regarding the Honourable Member's question. I may say I considered the matter very carefully before admitting any of these questions as to whether they were matters of public concern. I gave the Honourable Member the benefit of the doubt. I would further add that I hope every Member of this House, when he proceeds to ask questions about individuals, will exercise more than usual caution in not casting reflection upon individuals unless he is very sure of his ground."

To reinforce that, perhaps I may quote Erskine May:

"A question may not contain statements of facts unless they have been necessary to make the question intelligible and can be authenticated"

Further on, on the same page, 242, he says:

"Nor is it in order to ask merely whether certain things such as statements made in a newspaper, are true",

and this disposes of the argument of the Honourable the Mover of the motion that fishing inquiries are perfectly proper:

"But attention may be drawn to such statements if the Member who puts the question makes himself responsible for their accuracy."

So much for that. On the first point therefore I conceive that all I have got to do is to produce cases in which Honourable Members have not satisfied themselves of the accuracy of their accusations. First, let me quote my exact words—"I should like to take this opportunity of protesting against the habit of some Honourable Members giving publicity to all kinds of unfounded and improper complaints from subordinate Government servants". The opposition has sought to give those words a much wider generality than they possess or they were intended to possess. My remarks were not to be taken as meaning more than they actually say, and for me to prove they are justified, I have only to produce a sufficient number of instances in which they are literally justified. I cannot believe that my remarks have caused pain to that majority of Honourable Members to whom they have obviously no application and can have no application whatever, and that those Honourable Members, as I said the great majority, could have been under any idea that reflections were being cast upon them.

Let me remove two other causes of misunderstanding. I am not quite sure whether the Honourable Member from Madras,—well, I had better not say anything which may be taken by that sensitive soul as casting reflections. . . .

Mr. F. E. James: There are two Members from Madras. Do you mean me?

The Honourable Sir James Grigg: No. The Honourable Member opposite from Madras gave currency to two other misunderstandings which I would like to clear up. The first was that I considered it as improper or that Members on this Bench consider it as improper for Honourable Members of this House to ventilate the grievances of whole classes of civil servants or of a large body of civil servants. That is not so and the whole discussion, in so far as it relates to the question of principle, has been based on the question of ventilating individual grievance and individual claims, and I want to make that absolutely clear. The second is the question raised by the Honourable the Baronet from Bombay in which he made a great point of the deliberate accusation that Honourable Members came to this House and deliberately made misrepresentations which they knew to be untrue. My words do not bear that meaning. The whole complaint is that Honourable Members, as I have said three times already, give currency to stories without taking themselves the trouble to verify their accuracy. . . .

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): How can they do it?

The Honourable Sir James Grigg: Don't ask me questions. . . .

Mr. D. K. Lahiri Chaudhury: Will the Honourable Member repeat what he said?

The Honourable Sir James Grigg: I will come to you later on. My complaint is that currency is given to these accusations and the grievances of individual Government servants without Members troubling themselves to verify their accuracy. If some Honourable Members get out of my words, what the Honourable Member from Bombay says that he gets out of them, words which quite obviously mean what I am now explaining that they do actually mean, if the Honourable Members get out of them—an intention to accuse Honourable Members of this House of deliberately giving currency to what they know to be untrue,—well, the Honourable Baronet can read more into the English language than I can. As I said just now, the accusation I make is that Honourable Members do not make themselves responsible for the accuracy of their statements, which is not only the letter but the spirit of the Standing Orders, the rulings of the Chair and Parliamentary practice here and in Great Britain.

Well, Sir, we will now come along to the cause of all the battle. The Honourable Member who is the cause, the prime cause, or as I am the prime cause, perhaps I should say the secondary cause of all this battle, has not himself spoken in the matter. . . .

Mr. M. Asaf Ali (Delhi: General): We gagged him; we did not allow him to speak.

The Honourable Sir James Grigg: I gave him an hour and three-quarters, but he did not get up. Now, let us read the questions. I will read in particular parts (b), (c) and (e).

Some Honourable Members: Let us take the vote.

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

The Honourable Sir James Grigg:

“(b) Is it a fact that a European Deputy Secretary of the Finance Department has in several cases in the past been found guilty of using objectionable language in official files and has so far been doing so with impunity?”

(c) Is it a fact that high officer of the Home Department strongly objected to the indecent allegations and insulting observations made by the Deputy Secretary referred to in part (b) against the Office Note of the former's Department?”

Again, this is what is asked in part (e).

“Is it a fact that a few days ago, the Deputy Secretary wrote the word ‘stupid’ against the note of a gazetted officer (Indian Assistant Secretary) of his Department?”

Leaving out of account the thin-skinness of people who can really go to the length of having questions asked in Parliament as to whether a certain officer or his note was called ‘stupid’, leaving that aside, there are three definite allegations. I have the file here, and I see that I said in my answer that those allegations were a gross misrepresentation of facts. If the President informs me that ‘misrepresentation’ is an unparliamentary word,—I gather that the suggestion has been made here,—I will certainly withdraw it and substitute for it ‘grossly inaccurate’. I also repeat,—I will quote what I said about it in actual words—“The suggestion contained in part (c) of the question is a misrepresentation of what occurred”,—I am quite ready to substitute for that “an entirely inaccurate account”. “(e) and (f). The suggestion made in these two parts is a most gross misrepresentation of what actually occurred.” There, again, I am quite content to say that the Honourable Member's allegations give a grossly inaccurate picture of what actually occurred. But as I have pointed out, all this raises a very serious issue. The Honourable Member purports to be telling the House or asking me whether certain things which he says are in a certain file were there. How did he know about it? Who told him about it? Has he seen the file himself? I repeat—have you seen the file yourself?

An Honourable Member: The Honourable Member must address the Chair

The Honourable Sir James Grigg: Sir, I ask you whether the Honourable Member has seen the file?

An Honourable Member: No

Another Honourable Member: Not necessarily.

The Honourable Sir James Grigg: How then has the Honourable Member satisfied himself about the allegations?

(At this stage, there were several interruptions from the Opposition Benches.)

[Sir James Grigg.]

Has the Honourable Member seen the file himself? How has he managed to satisfy himself that the allegations for which he makes himself responsible are true? He is on the horns of a dilemma. Either he has committed a gross impropriety in having access to Government files or he has accepted,

Several Honourable Members: We would like to have the decision of the House.

The Honourable Sir James Grigg: without verification, statements made about the contents of a file to which he can have no access, and as I said in my answer, the disclosure of which to outsiders brings the person concerned within danger of dismissal. Well, Sir, it is rather unfortunate that the time is so near. I was going to quote a number of other cases in which allegations have been made without verification. I will repeat the one I read out this morning in case Honourable Members should be under any misapprehension. The questions were asked in this case, by a Member of the Independent Party who comes from Bengal, who has been interrupting me and various other Members in the course of this debate. This question contains a number of instances.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The House stands adjourned till 11 o'clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 26th February, 1936.

LEGISLATIVE ASSEMBLY.

Wednesday, 26th February, 1936

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): May I ask you to consider that when Mr. Giri's cut motion was under discussion, the motion for adjournment came on at 4 P.M. and it occupied two hours of the House. May I request you to waive the question hour today and tomorrow so that we can discuss this very important cut motion of Mr. Giri relating to the grievances of railway workers?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member wants me to dispense with questions today? If that is the general wish of the House I have no objection.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): The matter is entirely in your hands, and if that is the wish of the House, I have no objection to it. But I may point out that only 20 minutes of the allotted time was lost owing to the adjournment motion yesterday, not even half an hour.

Mr. President (The Honourable Sir Abdur Rahim): In that case I will stop questions at twenty minutes to twelve.

Lieut.-Colonel Sir Henry Gidney: I do not know how the Honourable Member arrives at twenty minutes only.

The Honourable Sir Muhammad Zafrullah Khan: The arrangement was that this particular cut should begin at a quarter past four, so that there should be 45 minutes yesterday and 45 minutes today for its discussion. Instead of beginning at 4-15, the discussion began at 3-30 or 3-35 and stopped at 1 o'clock, so that instead of 45 minutes, Honourable Members had only 25 minutes yesterday, and thus lost 20 minutes.

Mr. N. M. Joshi (Nominated Non-Official): In view of the fact that this question is of great importance, if we get a few minutes more, I hope the House will not grudge it.

The Honourable Sir Muhammad Zafrullah Khan: That was the arrangement that was arrived at, and if you do not stick to it, it will be very difficult to follow any arrangement hereafter.

Mr. President (The Honourable Sir Abdur Rahim): I will stop questions at twenty minutes to twelve.

QUESTIONS AND ANSWERS.

RELEASE OF POLITICAL PRISONERS.

827. ***Mr. Mohan Lal Saksena:** (a) Are Government aware of the reply given in the British Parliament by the Under Secretary of State for India in December last, regarding the release of political prisoners in India?

(b) If so, will Government be pleased to state if they have considered the question?

(c) In case they have not considered the question are Government prepared to consider the feasibility of releasing all the political prisoners during the course of the present year?

The Honourable Sir Henry Craik: (a) Yes.

(b) No.

(c) No.

PLIGHT OF INDIANS IN ZANZIBAR DUE TO THE LAND ACQUISITION AND CLOVE GROWER'S DECREES.

828. ***Mr. Mohan Lal Saksena:** I will only put part (a), Sir.

(a) Have Government received any representation from the President, Imperial Citizenship Association, regarding the plight of Indians in Zanzibar because of the Land Alienation and Clove Grower's Decrees?

Sir Girja Shankar Bajpai: (a) Yes.

Mr. S. Satyamurti: Are they investigating this representation?

Sir Girja Shankar Bajpai: Yes.

Mr. T. S. Avinashilingam Chettiar: What action do they propose to take in this matter?

Sir Girja Shankar Bajpai: That is a point which I have already answered.

DISABILITY PENSION CLAIMS.

829. ***Bhai Parma Nand:** Is it not a fact that disability pension claims of those retiring on a pay of Rs. 200 per month or more are payable in sterling and that they are to be converted at the rate of 1s. 4d. to the rupee if the pensioner was in Government service on 1st February, 1921 in the spirit of paragraph 24, Pension Regulations, India?

Mr. G. R. F. Tottenham: Yes.

NOMENCLATURE OF THE HINDU COMMUNITY IN THE NEW CONSTITUTION.

830. ***Bhai Parma Nand:** (a) Is it a fact that in the new constitution the separate representation is given to various communities, such as Muslims, Christians, Sikhs, Anglo-Indians and Europeans residing in India?

(b) Is it also a fact that Hindus are the only community that are described under the term 'General'?

(c) If the answer to parts (a) and (b) be in the affirmative, why is it that in the constitution the Hindu community is not described under its definite name?

The Honourable Sir Nripendra Sircar: (a), (b) and (c). The Communal Decision of His Majesty's Government, which has been endorsed by Parliament, accepts the principle of separate electorates for the Muhammadan, Sikh, Indian-Christian, Anglo-Indian and European communities. It is not a fact that Hindus are the only community that are described under the term "General". The term, though it chiefly represents Hindus, actually includes also those persons belonging to other communities for whom separate electorates have not been provided.

Mr. S. Satyamurti: May I know if, to the knowledge of the Government, the word "General" is used for all communities which have not got separate electorates, in the hope that some day there will be a general electorate for all, and that the general electorate will include all the communities?

The Honourable Sir Nripendra Sircar: What am I to answer?

Mr. S. Satyamurti: I am asking whether, to the knowledge of Government, the word "General" is used for all communities for which separate electorates have not been provided, in the hope that some day these separate electorates will be abolished, and there will be a general electorate which will represent all the communities?

The Honourable Sir Nripendra Sircar: It is difficult to say what is the hope. So many hopes have been dashed to ground that I would not like to make any announcement about hopes.

Bhai Parma Nand: May I know what are the communities and what is their strength, which are included in this word "General"?

The Honourable Sir Nripendra Sircar: I said that their strength is very little because I think I said in my answer that it is chiefly Hindus. But offhand I can suggest the names of Parsis, the Jains, the Animists, and so on. They are included in the word "General" although they are not Hindus.

Bhai Parma Nand: Do you consider the Jains and the Animists as non-Hindus?

The Honourable Sir Nripendra Sircar: They may be Hindus for certain purposes in certain rulings, but I do not consider them to be Hindus so far as the electoral rules are concerned.

Bhai Parma Nand: For constitutional purposes, are they not Hindus?

The Honourable Sir Nripendra Sircar: My view as to what they are really does not matter. The Government cannot force their view on the Jains and compel them to call themselves Hindus, in connection with electoral rules.

Bhai Parma Nand: Is it not a fact that they call themselves Hindus?

The Honourable Sir Nripendra Sircar: May be they call themselves Hindus on occasions when it suits their purpose.

PAY OF TRAVELLING TICKET INSPECTORS, ETC., ON THE EAST INDIAN RAILWAY.

SBI. ***Qazi Muhammad Ahmad Kazmi:** (a) With reference to the reply given to starred question No. 744, on 26th September, 1935, parts (a) to (e), will Government be pleased to refer to Annexure D on page 12 of the Memorial preferred by the old Travelling Ticket Inspectors of the East Indian Railway, dated the 2nd October, 1935, to His Excellency the Governor General of India in Council?

(b) When it has been acknowledged by Government in reply to a supplementary question to the above starred question that ".....decisions and orders that were passed are not confidential" (concerning the meeting held at Calcutta on 3rd May, 1927), will Government be pleased to state if it is a fact, or not, that the said Committee agreed that the Travelling Ticket Inspectors on transfer to Operating Department will get the pay of Accounts Department *plus* average mileage?

(c) Will Government be pleased to state if it is a fact that the information given to Government that *no rules were framed as a result of that meeting* as stated in this House in reply to a supplementary question to starred question No. 744, dated the 26th September, 1935, is wrong? Are Government aware of the rules in Annexure E on page 13 of the Memorial referred to in part (a) above and which were circulated by the Agent, East Indian Railway, with his No. T. E./65/OD/Crew, dated the 9th August, 1927?

(d) Is it a fact that Government were kept in the dark regarding the existence of these important rules?

(e) Are Government now prepared to look into the claim of these employees for the pay of the Accounts and average mileage allowance in accordance with the decision of the meeting held at Calcutta on 3rd May, 1927, and the rules framed in pursuance of this decision (Annexures D and E of the printed Memorial)?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). As already stated in reply to the question referred to, Government regret that they are unable to disclose the recommendations made by the Committee.

(c), (d) and (e). Government regret that the information given in reply to starred question No. 744 on the 26th September, 1935, which followed the reply given to part (b) of question No. 690 asked by Mr. Mohd. Rafique on the 20th September, 1928, was inaccurate. The answers were not based on information furnished by the East Indian Railway Administration but on the information available in the Railway Board's office which was apparently incomplete. Government have since been informed that rules were framed and issued by the Agent, East Indian Railway.

The fact that these rules were promulgated does not, however, in the opinion of Government affect the point at issue and Government are not prepared to revise their orders regarding the pay and allowances of the staff concerned.

Qazi Muhammad Ahmad Kazmi: Are Government not prepared to abide by the rules that they themselves have framed?

The Honourable Sir Muhammad Zafrullah Khan: I have not said that there is any question of not abiding by the rules.

Qazi Muhammad Ahmad Kazmi: Is it not a fact that a certain provision was made for people who were transferred from the accounts branch to the operating branch and rules were framed to regulate their pay and allowances? And will the Government abide by those rules or are they going to disregard them?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will specify the provision he has in mind I shall give a reply.

Qazi Muhammad Ahmad Kazmi: In the memorial that was sent to His Excellency the Viceroy the rules were mentioned, and that has been referred to in the question itself, parts (a) to (e). The rules are to the effect that people who will be transferred from the accounts branch to the operating branch will be entitled to have their pay with a consolidated allowance. Will Government abide by those rules or not?

The Honourable Sir Muhammad Zafrullah Khan: Government are prepared to abide by whatever rules are laid down.

Qazi Muhammad Ahmad Kazmi: Are the rules that are quoted in the memorial—are they, in fact, the rules?

The Honourable Sir Muhammad Zafrullah Khan: Everything that was quoted in the memorial or attached to the memorial was carefully considered when the memorial was considered by Government.

Qazi Muhammad Ahmad Kazmi: But, so far as I am concerned, I am entitled to know whether the rules that are quoted are the rules or not? And is it not going against those rules when the people are not given those consolidated allowances and advances in grade that they are claiming for?

The Honourable Sir Muhammad Zafrullah Khan: In Government's decision to change these mileage allowances to a consolidated allowance there has been no contravention of the rules.

Qazi Muhammad Ahmad Kazmi: May I know if the Government obtained legal opinion as to the interpretation of the rule in question?

The Honourable Sir Muhammad Zafrullah Khan: No.

Dr. Ziauddin Ahmad: May I ask one question. Is it not a fact that Government have got some definite rule when persons are transferred from one department to another. Will not the same rules apply to those T. T. Js.

The Honourable Sir Muhammad Zafrullah Khan: I cannot say offhand but if the Honourable Member will put down a definite question I shall give a definite reply.

PAY OF TRAVELLING TICKET INSPECTORS AND EXAMINERS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

S32. *Qazi Muhammad Ahmad Kazmi: (a) Will Government be pleased to state if it is a fact that the old Travelling Ticket Examiners and Inspectors of the North Western and East Indian Railways were brought on to the new scales of pay with effect from 1st June, 1931?

(b) Is it a fact that the East Indian Railway staff were restored to their old scale of pay with the benefit of increments therein?

(c) Is it a fact that the North Western Railway staff were also granted the option of retaining *the old scale of pay* (*vide* letter No. 822-E.G., dated the 16th August, 1933, from the Railway Board)?

(d) Is it a fact that this concession to the North Western Railway staff was allowed "having a regard to the concessions granted in somewhat similar circumstances to similar staff on other State-managed Railways"?

(e) Is it a fact that the East Indian Railway staff have been denied grade advancement according to their old grades and the North Western Railway staff are allowed to enjoy this concession?

(f) Are Government prepared to issue orders on the subject so that the anomaly leading to a differential treatment in respect of the East Indian Railway staff is removed in regard to this question of grade advancement? If not, will Government be pleased to state in what respects the circumstances of the East Indian Railway employees are different and not similar to those of the North Western Railway Staff, and what is meant by having granted this concession "in somewhat similar circumstances to similar staff on other State-managed Railways"?

The Honourable Sir Muhammad Zafrullah Khan: Government have, during the last five years, already replied to more than 400 questions concerning Travelling Ticket Inspectors, Travelling Ticket Examiners and similar staff on the North Western and East Indian Railways giving detailed information covering almost every aspect of this subject and I would refer the Honourable Member to these replies.

Government have given the whole subject their very careful consideration and have granted the staff concerned the maxima concessions in pay, allowances and prospects that they consider justifiable. Government are not prepared to revise these orders and, in the circumstances, consider that no useful purpose will be served by providing further information on this subject.

Sardar Sant Singh: In view of the fact that there is a strong difference of opinion between the Government and all these persons affected on the North Western Railway as well as the East Indian Railway, are they prepared to appoint an arbitrator to go into this question.

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Dr. Ziauddin Ahmad: May I know whether it is cheaper for the Government to accede to these demands or spend money in answering these questions?

The Honourable Sir Muhammad Zafrullah Khan: If this principle were applied all over the administration, I do not know where it would land us.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

833. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Is it not a fact that in October, 1933, an open competitive examination for selection of cadets for the Training Ship "Dufferin" was held at Bombay, Calcutta, Lahore, Lucknow, Patna, Delhi, Rangoon and Karachi?

(b) Is it not a fact that sixty-five candidates passed and were invited for interview and selection at Bombay?

(c) Will Government lay on the table a list of those sixty-five candidates in order of merit at the examination?

(d) How many of them were (i) Anglo-Indian Christian (ii) Parsees, (iii) Muhammadan, and (iv) Hindu, candidates?

(e) Is it not a fact that in January 1934, amongst successful candidates from the Calcutta centre, two Anglo-Indian and one Parsee candidates were finally selected as cadets? If so, what was their place and position in order of merit at the examination held in October 1933?

(f) Was there any seat reserved for candidates of Anglo-Indian community, or for the candidates of the Parsee community?

(g) Is it not a fact that in January 1934, all the Hindu and Muhammadan candidates from the Calcutta centre were rejected at Bombay?

(h) If so, what was their place and position in order of merit at the examination held in October 1933?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes; a qualifying examination was held at the places named by the Honourable Member and also at Madras.

(b) Yes.

(c) and (d). I lay on the table two statements giving the information desired.

(e) Three Anglo-Indians and one Parsee were finally selected as cadets. Two of the Anglo-Indian boys were ranked 15th in order of merit, while the third was 62nd on the list. The Parsee candidate stood 19th.

(f) No.

(g) No Muhammadan candidate from the Calcutta centre passed the qualifying examination. Of the two Hindu candidates who were successful one did not pass the interview while the other failed in the eyesight test.

(h) The position of the two Hindu candidates in question was 6th and 30th, respectively.

List of candidates in order of merit who passed the 1933 October Qualifying Examination and were invited for interview and selection at Bombay.

| Serial No. | Name. | Marks obtained. | Serial No. | Name. | Marks obtained. |
|------------|------------------------------|----------------------|------------|-----------------------------|----------------------|
| | | (Maximum Marks 450). | | | (Maximum Marks 450). |
| 1 | V. V. Sheshadri . . . | 333 | | A. Krishnan . . . | 251 |
| 2 | George M. Phillip . . . | 315 | 34 | K. D. Morada . . . | 251 |
| 3 | Thomas E. M. Rosario . . . | 314 | | P. A. Malekout . . . | 251 |
| | { Mohammad A. Alavi . . . | 314 | 37 | Gurudatha Sachdeva . . . | 250 |
| 5 | Rajinder Nath Madan . . . | 292 | 38 | C. A. Holmes . . . | 249 |
| 6 | N. C. Lahiri . . . | 291 | 39 | W. R. J. Peters . . . | 248 |
| 7 | T. K. T. Scisailam . . . | 285 | 40 | { Lal Behari Chand . . . | 247 |
| 8 | Yog Raj Sharma . . . | 281 | | { Syed Burhannuddin . . . | 247 |
| 9 | H. Ramaiah . . . | 280 | 42 | Lirmaye, M. H. . . . | 246 |
| 10 | G. H. Bloomfield . . . | 277 | | { Joshi, C. S. . . . | 242 |
| 11 | C. S. Sundaram . . . | 274 | 43 | { Ghatge, V. M. . . . | 242 |
| 12 | { Dwarka Nath Gadi . . . | 273 | | { Nayar, V. C. A. . . . | 242 |
| | { Narindra Jit Singh . . . | 273 | 46 | Renolds James . . . | 241 |
| 14 | R. B. Irani . . . | 272 | 47 | { Curry, D. D. R. . . . | 239 |
| | { G. W. Ewing . . . | 271 | | { Kapadia, N. M. . . . | 239 |
| 15 | { I. F. Marley-Clarke . . . | 271 | 49 | Mercado, P. A. . . . | 238 |
| | { Shishir Kumar Moulik . . . | 271 | 50 | Vishnu Prasad . . . | 237 |
| 18 | R. S. Irani . . . | 269 | 51 | Pritam Singh Marjara . . . | 236 |
| 19 | Jal J. Pestonji . . . | 268 | 52 | { M. Ivan Khan . . . | 235 |
| 20 | { K. S. R. Reddy . . . | 267 | | { Dass Balwant K. . . . | 235 |
| | { R. J. Ward . . . | 267 | 54 | Braj Bhushan . . . | 234 |
| 22 | S. C. Pinto . . . | 265 | 55 | Bruce Woolen . . . | 233 |
| 23 | { G. E. Metcalfe . . . | 261 | 56 | Vakil, J. Lal . . . | 232 |
| | { Prakash M. Panday . . . | 261 | 57 | { Noel Gordon H. . . . | 230 |
| 25 | I. I. Merchant . . . | 260 | | { Verma, K. K. . . . | 230 |
| 26 | Gur Bikshram Sharma . . . | 259 | | { Triloki Nath Rampal . . . | 229 |
| 27 | Krishnan Konthath . . . | 258 | 59 | { Sahi Arjan Singh . . . | 229 |
| 28 | Raza Syed Naiyar . . . | 257 | 61 | Singh Saran Gur . . . | 227 |
| 29 | F. S. B. Mehta . . . | 254 | | { Mian Asghar Ali . . . | 226 |
| 30 | C. Parimal Kumar . . . | 253 | 62 | { Banwari Lal Mital . . . | 226 |
| | { J. C. N. Lionel . . . | 252 | | { W. G. Smith . . . | 226 |
| 31 | { N. G. Dharmdhikari . . . | 252 | 65 | Madan Mohanlal . . . | 225 |
| | { P. B. Dighe . . . | 252 | | | |

Distribution of candidates according to communities.

| | |
|-----------------------------|----------|
| Anglo-Indians | 14 |
| Indian Christians | 4 |
| Parsees | 6 |
| Mahammadans | 6 |
| Hindus | 31 |
| Sikhs | 4 |
| | <hr/> 65 |

Mr. S. Satyamurti: Is there any minimum qualification prescribed, when Government go down the list of selected candidates to redress communal inequalities? Is there any minimum qualification with regard to people whom the Government select, beyond the number who come up first?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid there is some misunderstanding about this matter in the mind of the Honourable Member who put this question and it might possibly also exist in the

minds of other Honourable Members. The position is this. This examination is merely a qualifying examination and not at all a competitive examination. All those candidates who pass this examination are eligible for coming up for selection. The selection is actually made by the Governing Body of the "Dufferin". When they sit to make the selection, they are not aware of the results of the qualifying examination, so that they do not know what position any particular candidate obtained in the qualifying examination, nor do they make their selection with any reference to the caste, community or religion of the candidates. They have the cadets up before them for interview and the final selection is based merely upon the interview which they have with the Governing Body. It has no reference whatsoever to their position in the results of the qualifying examination.

Mr. S Satyamurti: Or the communities to which they belong

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Qazi Muhammad Ahmad Kazmi: Has the qualifying test anything to do with the actual interview?

The Honourable Sir Muhammad Zafrullah Khan: Only those people come up for actual interview who have passed the qualifying examination.

Qazi Muhammad Ahmad Kazmi: Will Government put up some university qualification or some other qualification as the qualifying test, instead of making so many people waste their money in appearing for the examination?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Dr. Ziauddin Ahmad: Is it not a fact—I know from experience as a member of the Governing Body that it is a fact—that the members of the Governing Body have before them the opinions of the members of the staff beforehand and their opinion is formed on the results of this qualifying examination?

The Honourable Sir Muhammad Zafrullah Khan: Which staff?

Dr. Ziauddin Ahmad: The teaching staff. All the candidates first appear before the teaching staff of the Governing Body. They are medically examined and they are interviewed by the headmasters and they are given the numbers A, B, C, D and their recommendations are partially based upon the results of this examination. Indirectly these examinations are taken into consideration by the Governing Body.

The Honourable Sir Muhammad Zafrullah Khan: Is the Honourable Member quite sure that he is discussing the original selection for admission to the "Dufferin" and not the passing out examination from the "Dufferin"?

Dr. Ziauddin Ahmad: I am referring to the original admission.

The Honourable Sir Muhammad Zafrullah Khan: What teaching staff of the Governing Body has the Honourable Member in mind?

Dr. Ziauddin Ahmad: It will really be a great help to the members of the Governing Body if they know beforehand the opinions about A, B, C, D.

The Honourable Sir Muhammad Zafrullah Khan: With all respect, I am unable to follow the question.

Sardar Sant Singh: May I know if in the selection of the candidates any political considerations enter into the mind of the Governing Body or the Selection Board?

The Honourable Sir Muhammad Zafrullah Khan: How can I say what considerations enter into the minds of the members of the Governing Body.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

834. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Is it not a fact that at page 11 of the prospectus for the cadets for the Training Ship "Dufferin", it is expressly ordered that application for entry must reach Bombay not later than 1st October of each year?

(b) Is it not a fact that in the head lines of the application form it is also written that the form should reach Bombay not later than 1st October of each year?

(c) Is it not a fact that in October 1934, an open competitive examination was held at Bombay, Calcutta, Lahore, Lucknow, Patna, Madras, Delhi, Rangoon and Karachi?

(d) Is it not a fact that only those candidates were permitted to appear at the examination, whose application forms duly reached Bombay on or before the 1st October, 1934?

(e) Is it not a fact that an application form must state whether the person concerned was applying for the executive branch or engineering branch of study?

(f) Is it not a fact that ninety-eight candidates came out successful and were permitted to appear at the medical examination and preliminary interview to be held in January 1935 at Bombay?

(g) Will Government lay on the table a list of those 98 successful candidates (marking with asterisks the candidates from the Calcutta centre) in order of merit at the examination?

(h) Is it not a fact that eight being absent, ninety candidates were medically examined at Bombay? If not, what was the exact number?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Yes.

(c) Yes; but the examination was qualifying and not competitive as stated by the Honourable Member.

(d) Yes; but I may explain that owing to the fact that the Training Ship "Dufferin" is moored about a mile and a half off the shore in the Bombay harbour, the mail addressed to the ship is not always available on board as early as the corresponding mail is delivered ashore. Consequently, latitude of a day or two is allowed in the case of applications

actually received in Bombay on the 1st October but delivered on board later. Further, with a view to allowing facilities to the public, applicants who submit their names by letter before the 1st October are registered provisionally and are permitted to send in their formal application forms and the necessary certificates by the 10th October at the latest.

(e) Yes. Many applicants, however, apply for "either Branch" which is permissible.

(f) The number of successful candidates was 97 and they were called for medical examination and preliminary interview at Bombay.

(g) I lay on the table a statement giving the information desired

(h) Eight out of the 97 candidates were absent so that 89 were medically examined at Bombay

List of candidates in order of merit who passed the October 1934 Qualifying Examination for admission to the T. S. "Dufferin".

(Candidates from Calcutta Centre are marked with an asterisk.)

| Order of Merit. | Name. | Marks. Maximum 450. Marks obtained. | Order of Merit | Name. | Marks. Maximum 450. Marks obtained. |
|-----------------|-------------------------|---|----------------|-----------------------|---|
| 1 | Kasthuri, S. | 349 | | Rajagopalan, L. V. | 282 |
| 2 | Cursetjee, Zal | 340 | 35 | Mohindra, Y. D. | 282 |
| 3 | Sundaram, E. S. | 336 | | Gupta, S. R. | 282 |
| 4 | Bonner, G. E. R. | 329 | | *Shahiduzzaman, A. S. | 281 |
| | Hashim, Mohd. | 329 | 38 | Syal, R. L. | 281 |
| 6 | Bhattacharjee, Inderjit | 328 | | *Anwer, M. S. | 281 |
| 7 | Savur, M. R. | 325 | 41 | *Misra, M. C. | 280 |
| 8 | Ottley, R. S. | 324 | 42 | Chandar, Harish | 279 |
| | Parthasarathy, K. | 316 | 43 | Martin, P. C. | 278 |
| 9 | Ansari, M. A. | 316 | 44 | Honavar, S. H. | 276 |
| | Prakash, Ved | 316 | 45 | Nicholas, R. S. C. | 275 |
| | Srinivasan, V. | 316 | 46 | Myatt, A. B. | 274 |
| 13 | Krishnan, N. | 315 | | *Chuckerbutty, A. N. | 273 |
| 14 | *Leather, G. H. | 314 | 47 | Chellappa, W. J. | 273 |
| 15 | *Gupta, A. K. | 308 | | Raghavan, W. A. | 273 |
| 16 | Deshmukh, P. K. | 307 | 50 | Bushe, R. G. | 271 |
| 17 | Paul, Narendra | 302 | 51 | *Carvalho, G. E. | 270 |
| 18 | Nahapiet, G. C. | 301 | 52 | Thomas, W. V. C. | 268 |
| 19 | Esteves, D. R. | 300 | | Athaide, Gerard | 266 |
| | Thangarajan, R. | 300 | 53 | Pathak, B. P. | 266 |
| 21 | Sahai, Raghubir | 299 | | Prasad, P. P. | 266 |
| 22 | Bhardwaj, A. S. | 298 | | Nyun, M. K. | 266 |
| 23 | *Barua, M. L. | 295 | 57 | Sahi, A. S. | 265 |
| | Thomas, K. S. | 294 | 59 | *Croxson, S. A. | 262 |
| 24 | Nambiar, A. M. M | 294 | | Kamath, V. A. | 260 |
| | *Lahiri, R. C. | 294 | 60 | Nazareth, A. C. | 260 |
| 27 | Bhavnani, A. G. | 293 | | Ghosh, G. C. | 259 |
| 28 | D'Souza, W. G. | 292 | 62 | Halder, D. K. | 259 |
| 29 | Samdani, G. G. | 287 | 64 | *Hall, H. A. | 257 |
| | Rodrigues, G. W. | 287 | 65 | Clements, E. M. | 256 |
| 31 | Harris, Herbert | 286 | | Swarup, Govind | 255 |
| | Verma, D. P. | 286 | 66 | *Kershaw, Peter | 255 |
| 33 | Gupta, A. P. | 285 | 68 | Chaturvedi, B. N. | 254 |
| | Elkins, Donald | 285 | 69 | Abid, S. M. Z. | 252 |
| | | | | Meneaud, D. T. H. | 252 |

| Order of Merit. | Name. | Marks. Maximum 450. Marks obtained. | Order of Merit. | Name. | Marks. Maximum 450. Marks obtained. |
|-----------------|----------------------|-------------------------------------|-----------------|-------------------|-------------------------------------|
| 71 | Rajan, T. S. | 251 | 85 | Deshpande, M. M. | 237 |
| | Dees, Desmond | 251 | 86 | Muraj, G. A. | 235 |
| 73 | *Bose, H. M. | 248 | | Gopal, Madan | 234 |
| | Lobo, G. M. | 248 | | Zuberi, A. A. | 234 |
| 75 | Mukherji, L. R. | 247 | 87 | *Anwar, Mustafa | 234 |
| | Uberoi, S. K. | 247 | | *Waddle, J. R. E. | 234 |
| 77 | Pereira, Philip | 246 | | Hasnain, S. Z. | 231 |
| 78 | Marshall, R. W. | 245 | 91 | Singh, Manohar | 231 |
| 79 | Chakravarthi, D. P. | 244 | 93 | Kumar, B. S. | 230 |
| 80 | *Bose, B. C. | 243 | 94 | Viswanathan, R. | 229 |
| 81 | Khan, Mohammaddullah | 242 | 95 | Dwivedi, V. C. | 227 |
| 82 | Zakaullah, Mohamed | 240 | 96 | *Martenoz, J. A. | 225 |
| | Braganza, Dominic | 240 | | *Barkat, M. A. | 225 |
| 84 | Dalal, R. N. | 239 | | | |

Qazi Muhammad Ahmad Kazmi: Is the interview qualifying or competitive?

The Honourable Sir Muhammad Zafrullah Khan: I am unable to follow the question.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already fully answered that point.

Qazi Muhammad Ahmad Kazmi: Certain marks are given at the interview. Are those marks the only test or there is some other consideration in the mind of the examiners at the time of the interview?

The Honourable Sir Muhammad Zafrullah Khan: The selection is based entirely upon the views that the members of the Governing Body form with regard to the candidates. What they themselves base their selection upon I am unable to say but except in cases where for some particular reason members might wish to know what the position of a candidate was in the qualifying examination, they do not know what the position in the qualifying examination was when they make the selection.

Qazi Muhammad Ahmad Kazmi: Is the interview restricted to certain subjects or does the interview comprehend anything that the examiners want? Are any marks given in respect of those subjects and the candidates taken with reference to the highest marks they get at the time?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to the prospectus of the "Dufferin".

Dr. Ziauddin Ahmad: May I just say, Sir, as an ex-member of the Governing Body that in the interview they only ask questions to test general intelligence and not relating to a particular subject. Twenty marks are fixed as the maximum marks for this and the marks allotted by all the members of the Governing Body are afterwards added together and those that obtain the highest marks are selected. I think those are the principles of selection.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

835. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the member in charge lay on the table a list of those successful candidates, marking with asterisks the names of the candidates from the Calcutta centre, who were finally selected as cadets in the executive branch in January 1935?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

(c) Was there any seat specially reserved for candidates of the Anglo-Indian community or for the candidates of the Parsee community?

The Honourable Sir Muhammad Zafrullah Khan: (a) I lay on the table a statement giving the information desired by the Honourable Member.

(b) Of the candidates finally selected eight were Anglo-Indians, one Parsee, four Muhammadans, ten Hindus and two Indian Christians.

(c) No, Sir.

List of successful candidates in the 1934 October Qualifying Examination who were finally selected as Cadets in the Executive Branch in January, 1935.

(Candidates from Calcutta Centre are marked with asterisks.)

| Serial No. | Name. | Serial No. | Name. |
|------------|----------------------|------------|-----------------------|
| 1 | G. C. Nahapiet. | 14 | Chaturvedi, B. N. |
| 2 | Cursetjee, Z. | 15 | Ottley, R. S. |
| 3 | Honavar, S. H. | 16 | Deshmukh, P. K. |
| 4 | Srinivasan, V. | 17 | Prasad, P. P. |
| 5 | *Chuckerbutty, A. N. | 18 | Muraj, G. A. |
| 6 | Cooke, W. G. H. | 19 | *Croxon, S. A. |
| 7 | *Waddle, J. R. E. | 20 | Thomas, W. V. C. |
| 8 | Bonner, G. E. R. | 21 | *Rodrigues, G. W. |
| 9 | Verma, D. P. | 22 | Rajagopalan, L. V. |
| 10 | Zakaullah, Mohd. | 23 | *Shahiduzzaman, A. S. |
| 11 | *Barua, M. L. | 24 | Braganza, D. |
| 12 | *Anwar, Mustafa. | 25 | *Bose, H. M. |
| 13 | Savur, M. R. | | |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

836. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government lay on the table a list of those disappointed candidates of the executive branch (marking with asterisks the candidates of Calcutta centre) who duly passed the medical examination and eye-sight test at Bombay in January 1935, but were finally rejected?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I lay on the table a statement giving the information desired by the Honourable Member.

List of the disappointed candidates of the Executive Branch who duly passed the medical examination and eye-sight test at Bombay, in January, 1935, but were finally rejected.

(Candidates from Calcutta Centre are marked with an asterisk.)

| Serial No. | Name. | Serial No. | Name. |
|------------|-------------------|------------|------------------|
| 1 | *A. K. Gupta. | 15 | B. P. Pathak. |
| 2 | Narendra Paul. | 16 | V. A. Kamathi. |
| 3 | Raghubir Sahai. | 17 | G. C. Ghosh. |
| 4 | K. S. Thomas. | 18 | *H. A. Hall. |
| 5 | A. M. M. Nambiar. | 19 | *Peter Kershaw. |
| 6 | W. G. D'Souza. | 20 | S. M. Z. Abid. |
| 7 | G. G. Samdani. | 21 | B. M. Lobo. |
| 8 | Herbert Harris. | 22 | S. K. Uberoi. |
| 9 | A. P. Gupta. | 23 | *B. C. Bose. |
| 10 | S. R. Gupta. | 24 | Madan Gopal. |
| 11 | Harish Chandar. | 25 | A. A. Zuberi. |
| 12 | A. B. Myatt. | 26 | Manohar Singh. |
| 13 | *G. R. Carvalho.† | 27 | J. A. Maartenoz. |
| 14 | Gerard Athaide. | 28 | *M. A. Barkat. |

NOTE.—†Candidate G. R. Carvalho who stood next in order of merit after the 25 selected candidates, was rejected, and was subsequently called back in the vacancy caused by the withdrawal of a selected cadet, D. P. Verma, from Punjab. Later, in the second term, Cadet Carvalho too left the ship.

Distribution of candidates by communities.

| | |
|-------------------|----|
| Anglo-Indians | 6 |
| Parsis | 0 |
| Muhammadans | 4 |
| Hindus | 13 |
| Indian Christians | 4 |
| Sikh | 1 |
| Total | 28 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

837. *Mr. Amarendra Nath Chattopadhyaya: (a) In connection with the training on the Ship "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks candidates from the Calcutta centre) who were finally selected as cadets in the engineering branch in January, 1935?

(b) How many of them were, (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, (iv) Hindus?

(c) Was there any seat especially reserved for the candidates of the Anglo-Indian community or for the candidates of the Parsee community?

(d) Is it not a fact that the eye-sight test of the executive branch was different from the eye-sight test of the engineering branch?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). I lay on the table a statement giving the desired information.

(c) No.

(d) Yes.

List of candidates who were finally selected as Cadets in the Engineering Branch in January 1935.

(Candidates from the Calcutta Centre are marked with asterisks.)

| Serial No. | Name. | Serial No. | Name. |
|------------|-------------------|------------|---------------------|
| 1 | Krishnan, N. | 14 | Raghavan, W. A. |
| 2 | Bhattacharjee, I. | 15 | Marshall, R. W. |
| 3 | Hasnain, S. Z.† | 16 | Nicholas, R. S. C. |
| 4 | Bushe, R. G. | 17 | Kasthuri, S. |
| 5 | Nyun, M. K. | 18 | Sahi, A. S. |
| 6 | Dalal, R. N. | 19 | Nazareth, A. O. |
| 7 | Dees, Desmond. | 20 | Kumar, B. S. |
| 8 | *Leather, G. H.† | 21 | Pereira, Philip. |
| 9 | Clements, E. M.† | 22 | Chakravorthy, D. P. |
| 10 | Ansari, M. A. | 23 | Sundaram, E. S. |
| 11 | Parthasarathy, K. | 24 | Deshpande, M. M. |
| 12 | Elkins, Donald. | 25 | Rajan, T. S. |
| 13 | Meneaud, D. T. H. | | |

NOTE.—†These 3 Cadets were selected from the candidates who had applied for either course.

Distribution of the successful candidates according to communities.

| | |
|-------------------|----|
| Anglo-Indians | 8 |
| Parsee | 1 |
| Muhammadans | 2 |
| Hindus | 8 |
| Indian Christians | 4 |
| Sikh | 1 |
| Buddhist | 1 |
| Total | 25 |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

838. ***Mr. Amarendra Nath Chattopadhyaya:** (a) In connection with the training on the Ship "Dufferin", will Government lay on the table a list of those successful candidates (marking with asterisks the candidates from the Calcutta centre) who appeared for either of the two courses, Executive or Engineering, in order of merit at the examination?

(b) Is it not a fact that in October 1934, only ten candidates appeared at the examination for either of the two courses and six, having passed, were invited to go to Bombay for medical examination and interview? If not, what was the exact number?

(c) How many of them were, (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

The Honourable Sir Muhammad Zafrullah Khan: (a) I lay on the table a statement giving the desired information.

(b) No Twelve candidates appeared and eight, having passed, were invited for medical examination and interview.

(c) The distribution of the eight candidates by communities was as follows:

| | |
|------------------|---|
| Anglo-Indians | 3 |
| Muhammadans | 3 |
| Hindu | 1 |
| Indian Christian | 1 |

List of successful candidates who appeared for either of the two courses, "Executive" or "Engineering", in order of merit at the 1934 October Qualifying Examination.

(Candidates from the Calcutta Centre are marked with an asterisk.)

| Serial No. | Name. | Serial No. | Name. |
|------------|---------------------------|------------|---------------------------|
| 1. | *George Humphrey Leather. | 5. | *Dhirendra Kumar Halder. |
| 2. | Donzil Robert Esteves. | 6. | Eustace Maxwell Clements. |
| 3. | *Mian Shafique Anwer. | 7. | Mohammaddullah Khan. |
| 4. | Wilson Jayaraj Chellappa. | 8. | Syed Zahid Hasnain. |

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

839. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Is it not a fact that from September, 1934 to February, 1935, all application forms in connection with training on the Ship "Dufferin", were kept in the special custody of the Captain Superintendent at Bombay?

(b) Is it not a fact that several candidates of the executive branch changed their form of application and decided to join the engineering branch of study after medical examination and eye-sight test at Bombay in January, 1935?

(c) Is it not a fact that on or after 15th January, 1935, the Captain Superintendent permitted them to do so and transferred their names from the executive to the engineering branch of study?

(d) What was the exact date on which such alteration was made?

(e) If any alteration was made in the form of application, was that alteration made by the pen of the Captain Superintendent or by the pen of the candidates themselves?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (c). One candidate who had applied in the first instance for admission to the "Executive Course" was permitted at his request to change over to "either course", not to the "Engineering Course" in particular. He was, however, finally selected for the Executive Course.

(d) 15th January, 1935

(e) The application for the change was made in writing by the guardian of the candidate.

SELECTION OF CADETS FOR TRAINING ON THE "DUFFERIN".

840. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government lay on the table a list of those candidates who passed the competitive examination as candidates of the executive branch of the training on the Ship "Dufferin", and were medically examined as candidates of the executive branch but were finally selected as cadets for engineering branch in January, 1935 (marking with asterisks the candidates from the Calcutta centre)?

(b) How many of them were (i) Anglo-Indians, (ii) Parsees, (iii) Muhammadans, and (iv) Hindus?

(c) Is there any circular, or general order, or notification, or advertisement, according to which a candidate of the executive branch after passing the competitive examination as candidate of the executive branch, may eventually be admitted as a cadet of the engineering branch?

(d) If the answer to part (c) be in the affirmative, will Government lay on the table a copy of that circular, or general order, or notification, or advertisement?

(e) If the answer to part (c) be in the negative, what steps, if any, do Government propose to take in the matter?

(f) Can Government find out an alternative case in which a Hindu candidate of the Engineering Branch, having passed the competitive examination as an engineering candidate, was permitted by the Captain Superintendent to be enlisted as a cadet of the executive branch of study?

The Honourable Sir Muhammad Zafrullah Khan: (a) There was no such candidate.

(b) Does not arise.

(c) No.

(d) Does not arise.

(e) and (f). Do not arise in view of the reply to part (a)

TRAVELLING ALLOWANCE, ETC., TO CERTAIN DISAPPOINTED CANDIDATES FOR SELECTION AS CADETS FOR TRAINING ON THE "DUFFERIN".

841. ***Mr. Amarendra Nath Chattopadhyaya:** Are Government prepared to consider the advisability of paying travelling allowance and hotel charges to the disappointed candidates of the Engineering Branch who passed the medical examination and eye-sight test at Bombay in January, 1935, but were finally rejected without assigning any reason?

The Honourable Sir Muhammad Zafrullah Khan: No. All the candidates for admission to the Training Ship "Dufferin" (Executive as well as Engineering Branch) who are called for interview have to bear their own travelling and hotel expenses. This is in accordance with the practice generally followed in respect of public examinations in India, and Government see no reason for making an exception in the case of the candidates referred to by the Honourable Member.

Pandit Lakshmi Kanta Maitra: Is it a fact that these people were driven out, without the authorities assigning any reason, as stated in the question?

The Honourable Sir Muhammad Zafrullah Khan: They were not selected by the Governing Body; that is the reason. The Governing Body have to select a certain number out of those who appear.

GRIEVANCES OF DISAPPOINTED BENGALI CANDIDATES FOR SELECTION AS CADETS FOR TRAINING ON THE "DUFFERIN".

842. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state on what considerations the Anglo-Indian candidates, whose positions were lower in order of merit at the open competitive examination, were selected for entry into the "Dufferin" superseding the claims of the Bengali candidates whose positions were much better?

(b) Will Government be pleased to state if it was as a matter of policy that the Bengali, specially the Bengali Hindu, candidates were sought to be excluded from the final selection of cadets?

(c) If so, what was that policy?

(d) If not, are Government prepared:

(i) to enquire into and redress the grievances of the disappointed Bengali candidates, and

(ii) to take proper steps to ensure justice and fairness in future to all deserving candidates, irrespective of their provinces and communities?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (d). The written examination is merely a qualifying test and in no sense competitive, so that the position occupied in it by a candidate does not affect one way or the other his prospects of final selection by the Governing Body of the "Dufferin". In this selection the sole aim is to choose those boys who are likely to derive the greatest benefit from the training provided by the "Dufferin" and subsequently to make suitable officers in the Mercantile Marine, no consideration whatsoever being paid to the candidate's community, religion or province.

Pandit Lakshmi Kanta Maitra: May I know from the Honourable Member if there was any Bengali Hindu candidate selected?

The Honourable Sir Muhammad Zafrullah Khan: Several have been selected. Two Bengali Hindu cadets were awarded the Viceroy's gold medal in 1930 and 1932 and a third was appointed to the Royal Indian Navy from the "Dufferin".

SCHOLARSHIPS GRANTED TO CADETS FOR TRAINING ON THE "DUFFERIN".

843. ***Mr. Amarendra Nath Chattopadhyaya:** Is it a fact that all the six scholarships granted by the Government of India in connection with the training on "Dufferin" in 1935, were awarded to Anglo-Indian candidates? If so, on what principle?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. T. S. Avinashilingam Chettiar: To whom were they given?

The Honourable Sir Muhammad Zafrullah Khan: Three of the scholarships were awarded to Anglo-Indians, two to Indian Christians, and one to a Muhammadan. The conditions for awarding these scholarships, which are in addition to several other scholarships awarded by certain steamship companies and other interests, are given at page 14 of the prospectus of the "Dufferin" which is available in the Library.

Mr. S. Satyamurti: What are the principles on which these scholarships are given?—"Merit", "poverty", or what?

The Honourable Sir Muhammad Zafrullah Khan: Poverty is the main consideration, I think.

Mr. S. Satyamurti: What about the factor of "merit"?

The Honourable Sir Muhammad Zafrullah Khan: "Six scholarships, each of the value of a remission of half fees, namely, Rs. 25 per month and applicable to Engineer and Executive cadets alike, have been granted by the Government of India. These are tenable for three years, provided that the boy makes satisfactory progress. The object of these scholarships is to assist those parents or guardians, who are not in a position to pay the full fees, to send their boys to the Training Ship.

Application for these Government Scholarships must be made on the special application forms, which can be had from the Secretary to the Governing Body, after the candidate's application for admission, with the necessary certificates, has been accepted for the qualifying examination.

This scholarship is only granted to such candidates, whose parents or guardians cannot afford to accept a cadetship for their son or ward without its aid, even if he passes the Qualifying Examination and is selected for admission." etc., etc.

Mr. S. Satyamurti: Does the merit of a candidate come into this question at all, or only poverty?

The Honourable Sir Muhammad Zafrullah Khan: That is the condition, that the parent or guardian must be unable to provide assistance; and I have no doubt that the Governing Body, when they consider the cases of such candidates whose parents cannot provide their full expenses, give due weight to other considerations which should apply in awarding these scholarships.

Mr. S. Satyamurti: Other things being equal, is it the case that these scholarships are given to many candidates whose parents or guardians cannot afford to keep them at those places and that scholarships are given to the best qualified among the candidates?

The Honourable Sir Muhammad Zafrullah Khan: I hope the Governing Body proceeds on that consideration, but I cannot say definitely what the Committee have in mind when they make their selections.

Mr. S. Satyamurti: Will Government place this consideration before them?

The Honourable Sir Muhammad Zafrullah Khan: I shall be prepared to bring this to their notice.

GOVERNING BODY OF THE "DUFFERIN".

844. ***Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to state the names of the members of the Governing Body of the "Dufferin"?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table a statement showing the names of the present members of the Governing Body of the I. M. M. T. S. "Dufferin".

Names of the members of the Governing Body of the I.M.M.T.S. 'Dufferin'.

Rear-Admiral A. E. F. Bedford, C.B.,
Flag Officer Commanding, Royal Indian Navy,
Chairman (*ex-officio*).

W. Grieve, Esquire, I.E.S.,
Director of Public Instruction,
Bombay Presidency (*ex-officio*).

M. A. Master, Esquire, B.A., LL.B.

Maulvi Abul Kasem, M.L.C.

K. C. Dinshaw, Esquire, J.P.

Syed Munawar, Esquire, B.A., M.L.C., J.P.

Walchand Hirachand, Esquire.

Sir Purshotamdas Thakurdas, Kt., C.I.E., M.B.E., J.P.

V. N. Chandavarkar, Esquire, B.A., Bar-at-Law, J.P.,
Vice-Chancellor, University of Bombay.

J. J. Flockhart, Esquire, J.P.

M. R. Ry. Diwan Bahadur A. Ramaswami Mudaliar.

Maulvi Sir Muhammad Yakub, Kt., M.J.A.

Secretary.

Captain H. A. B. Digby-Beste, C.I.E., O.B.E., R.I.N., J.P.,
Captain Superintendent, I.M.M.T.S. "Dufferin" (*ex-officio*).

Pandit Lakshmi Kanta Maitra: What is the term of office?

The Honourable Sir Muhammad Zafrullah Khan: I am not quite sure.

Pandit Lakshmi Kanta Maitra: When is the next election coming on?

The Honourable Sir Muhammad Zafrullah Khan: I suppose the term of different members expires at different times. I do not think there is any election.

Pandit Lakshmi Kanta Maitra: What is the principle of the selection of members?

The Honourable Sir Muhammad Zafrullah Khan: I shall require notice of that question.

Qazi Muhammad Ahmad Kazmi: When was the member from Bengal appointed?

The Honourable Sir Muhammad Zafrullah Khan: You mean Maulvi Abul Kasem? I do not know when he was appointed but I think his term of office expires in March or April.

Qazi Muhammad Ahmad Kazmi: Are they eligible for re-appointment?

The Honourable Sir Muhammad Zafrullah Khan: Yes.

Pandit Lakshmi Kanta Maitra: How many Members of the Legislative Assembly are members of the Governing Body?

The Honourable Sir Muhammad Zafrullah Khan: I have just read out the names.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

TRAINING OF INDIAN STUDENTS IN CERTAIN FOREIGN COUNTRIES.

845. *Seth Govind Das: Will Government be pleased to state:

- (a) the number of Indian students who are undergoing training in Poland, Czechoslovakia, Italy and England, separately;
- (b) the number of Indian students who annually used to receive training in Germany since 1920, year by year till 1934;
- (c) whether it is a fact that certain countries are showing discourtesy to Indian interests owing to the trade relations *apropos* the Ottawa Pact; and
- (d) whether Government propose to take immediate and effective measures to remedy the situation; and, if not, what their reasons are?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The Honourable Member is presumably referring to technical and industrial training. If so, the information is not available.

(c) The Government of India have no information.

(d) Does not arise.

Seth Govind Das: As far as parts (a) and (b) of the question are concerned, may not the Honourable Member collect and supply this information?

The Honourable Sir Muhammad Zafrullah Khan: I do not think so, Sir; I do not see what means can be employed to obtain information on that point.

Mr. S. Satyamurti: Has the attention of the Government been drawn to a recent statement by Mr. Subhas Chandra Bose and published in the press to the effect that Indian students are being ill-treated in Germany?

The Honourable Sir Muhammad Zafrullah Khan: I am not aware of having seen that statement.

Pandit Lakshmi Kanta Maitra: Is there any machinery of the Government of India which records information as to how many students go abroad for the pursuit of studies and all that?

Sir Girja Shankar Bajpai: Sir, the Honourable the Commerce Member answered the question from the point of view of technical students. The High Commissioner for India has a list of all Indian students studying on the continent of Europe, but whether he keeps particulars of students residing in individual countries I cannot say. I can, however, make inquiries.

Prof. N. G. Ranga: Are Government aware of the fact that a great discontent prevails among the Indian student population in England with regard to the un-Indian and unsympathetic attitude of educational officers in England and also of the fact that resolutions have been passed protesting against that attitude at a conference held by Indian students in England?

Sir Girja Shankar Bajpai: Sir, information to that effect has reached Government from time to time, but they are informed by the High Commissioner for India that these complaints are exaggerated.

Mr. S. Satyamurti: Will the Government of India be good enough to instruct the High Commissioner for India to inquire and find out whether the allegation contained in clause (c) of this question is true to any extent, and if so, will they take steps to remedy the defects from which these students may be suffering?

Sir Girja Shankar Bajpai: Well, Sir, it is rather difficult to answer the question as to whether "discourtesy" is being shown to Indian students *apropos* of the Ottawa Agreement. That point has already been dealt with by the Honourable Sir Muhammad Zafrullah Khan. But if what my Honourable friend wishes to know is whether discourtesy is being shown to Indian students in certain countries, I will certainly have inquiries made.

Mr. S. Satyamurti: That is all I want.

REGULATIONS IN SINKIANG (CHINA) IN RESPECT OF VISAS FOR ENTRY INTO AND EXIT FROM THE CHINESE-TURKESTAN.

846. ***Seth Govind Das:** Will Government be pleased to state:

- (a) whether they are aware of the promulgation of new regulations in Sinkiang (China) in respect of *visas* for entry into and exit from the Chinese-Turkestan province in which Indians are obliged to obtain *visas* from the Chinese Consul in India;
- (b) whether they are aware that there is no such authority in Calcutta;
- (c) whether they have thought of ways and means of getting over this difficulty;
- (d) whether they are aware that a fee of ten Chinese dollars is being levied, under the newly promulgated regulations, on everyone seeking exit from Sinkiang;
- (e) whether they are aware that the new regulations were promulgated after Sir Eric Teichman, of the Chinese Consular service left Sinkiang through Kashgar *en route* to India;

- (f) whether they made any representation to the Chinese Central Government in Peking for a modification, if not repeal, of the regulations; if so, with what success;
- (g) if no representation has yet been made, whether Government propose to take the earliest opportunity of doing so; and
- (h) if the answer to part (g) be in the negative, their reasons therefor?

Sir Aubrey Metcalfe: (a) Yes.

(b) There is a Chinese Consulate General in Calcutta.

(c) and (d). Yes.

(e) No.

(f) His Majesty's Government have, it is understood, instructed His Majesty's Ambassador, Peking, to make necessary representations to the Chinese Central Government at Nanking.

(g) and (h). Do not arise.

Mr. S. Satyamurti: May I know how long these regulations have been in force, and whether the Government of India have any information as to when His Majesty's Government took the steps mentioned in the answer of my Honourable friend?

Sir Aubrey Metcalfe: Sir, the regulations were promulgated as about to come into force I think about last December. Immediate steps were taken then to try and procure that the regulations should not actually be enforced for the time being pending the success of the representations which were immediately made and are still being made with as much force as possible.

Mr. S. Satymurti: Are Government satisfied that the regulations will not be enforced, till the result of the representation made by His Majesty's Government is known?

Sir Aubrey Metcalfe: Whether the regulations will be enforced upon or not depends on the action of the Chinese Government. It is quite impossible for the Government of India either to prophesy or be satisfied as to exactly what that action will be.

Mr. S. Satyamurti: Will the Government of India ask His Majesty's Government to press on the Chinese Government that they must stay their hands, till they have considered the representations made by His Majesty's Government on behalf of India?

Sir Aubrey Metcalfe: So far as exit *visas* are concerned, that has already been done.

POSITION OF INDIAN NATIONALS SETTLED IN ZANZIBAR.

847. ***Pandit Govind Ballabh Pant:** (a) What action have Government taken in pursuance of the Resolution adopted by this House in September last, urging the Government to take effective steps in the interest and in order to vindicate the position of Indian nationals settled in Zanzibar?

(b) Will Government be pleased to lay on the table the correspondence which they had with the Government of Zanzibar in this connection?

Sir Girja Shankar Bajpai: (a) The attention of the Honourable Member is invited to the reply given by me on the 5th February, 1936, to part (c) of Mr. Satyamurti's question No. 61. Since then further representations have been made to His Majesty's Government.

(b) Government regret that they are unable to lay a copy of the correspondence on the table of the House.

Pandit Govind Ballabh Pant: Have the Government of Zanzibar, out of deference to the representations made by the Government of India, repealed or amended any of their decrees?

Sir Girja Shankar Bajpai: No, Sir. Not so far.

Pandit Govind Ballabh Pant: Have they extended the period of moratorium since the last Resolution was adopted in the Assembly?

Sir Girja Shankar Bajpai: My Honourable friend has got a question on that point later on. But I can answer it now. Yes, the moratorium has been extended till the end of June, 1936.

Pandit Govind Ballabh Pant: In what respect have the Government of India succeeded in securing relief for Indians settled in Zanzibar by means of these representations?

Sir Girja Shankar Bajpai: So far as the clove industry is concerned, I have already explained the position to my Honourable friend. As regards the debt legislation, the Government of India's representation has only recently been made.

CASES OF HARDSHIP TO INDIANS IN ZANZIBAR.

848. ***Pandit Govind Ballabh Pant:** (a) Is it a fact that in spite of the assurance of the Secretary of State for the Colonies that all individual cases of hardship to the Indians in Zanzibar will be favourably considered with a view to afford due relief:

- (i) 150 merchants have had to close their business and abandon Zanzibar,
- (ii) 80 had to wind up their business,
- (iii) 90 have gone insolvent, and
- (iv) several respectable merchants are in a very embarrassed condition?

(b) Are Government aware that an Indian merchant committed suicide in Pemba, being unable to realise his outstandings, although his liabilities were more than covered by his assets?

(c) Are Government aware that some Indian merchants, who had formerly a flourishing business in Zanzibar, had to leave at considerable peril of life by country-boats because of their inability to pay their steamship passage as a sequel to the Land Alienation Decree?

(d) Is it a fact that the number of Indian exporters of cloves has dwindled from 31 to 3 and that 80 Indians have not been able to carry on trade because of their inability to pay trade license fee?

(e) Is it a fact that before the grant of the monopoly to the Clove Growers Association, there were thirty Indians who held stock of cloves and that, since the grant of the monopoly, there is not a single Indian holding such stock?

(f) Is it a fact that 150 estates belonging to Indians have been sold to non-Indians since the introduction of the Land Alienation Decrees, while of the Indians who wanted to purchase land, some were not allowed to do so, though the total number of such Indians did not exceed sixty?

Sir Girja Shankar Bajpai: (a) to (f). The Government of India have received representations to this effect from the Imperial Indian Citizenship Association, Bombay.

Mr. T. S. Avinashilingam Chettiar: What action have they taken over that representation?

Sir Girja Shankar Bajpai: We have addressed a representation to His Majesty's Government.

Mr. T. S. Avinashilingam Chettiar: Have they investigated into the matter?

Sir Girja Shankar Bajpai: They are investigating the facts; Yes.

ZANZIBAR CLOVES.

849. ***Pandit Govind Ballabh Pant:** (a) Are Government aware that the Land Alienation and other Decrees have upset and endangered the normal economic state and life of Zanzibar?

(b) Is it a fact that the idle stock of cloves in Zanzibar was highest on the 1st of August last and almost double of what it was a year before?

(c) Is it a fact that the quantity of cloves exported from Zanzibar during the year following the Decrees was about one third less than during the same period just before the Decree, while the comparative figures of exports from Madagascar during the same period showed considerable increase?

Sir Girja Shankar Bajpai: (a) This has been represented to Government.

(b) and (c). The Imperial Indian Citizenship Association of Bombay have said so in their representation to which I have already referred.

Pandit Govind Ballabh Pant: Have the Government of India drawn the attention of the Zanzibar Government to the fact that it is suicidal even in their own interests to persist in their present policy?

Sir Girja Shankar Bajpai: My Honourable friend is expressing an opinion which I have no doubt is shared by many Honourable Members of this House. But we do not communicate with the Government of Zanzibar, we communicate with His Majesty's Government.

RELIEF TO INDIANS IN ZANZIBAR.

850. ***Pandit Govind Ballabh Pant:** (a) What steps have Government taken to secure relief for the unfortunate Indians settled in Zanzibar?

(b) Will Government place on the table a statement showing the action taken by the Government of Zanzibar in accordance with their assurance for the relief of individual cases?

Sir Girja Shankar Bajpai: (a) Representations regarding the Land Alienation Decree and the connected problem of existing debts owed to Indians have been made. Further representations on the subject of the cloves legislation will, it is hoped, be made shortly.

(b) Government have made enquiries.

Pandit Govind Ballabh Pant: Have the Government of India drawn the attention of Zanzibar Government to cases of individual hardship?

Sir Girja Shankar Bajpai: What we have done is to ask His Majesty's Government to implement the undertaking to redress individual cases of hardship. When Mr. Tyab Ali was here we also investigated the matter in consultation with him. We have asked for certain further particulars from Zanzibar, on receipt of which we shall address His Majesty's Government again.

Pandit Govind Ballabh Pant: Has any reply been received to that representation?

Sir Girja Shankar Bajpai: I understand that His Majesty's Government have addressed the Resident in Zanzibar.

Pandit Govind Ballabh Pant: His Majesty's Government have not yet communicated any reply to this Government?

Sir Girja Shankar Bajpai: As regards individual hardships they have not yet communicated anything to the Government of India.

EXTENSION OF THE MORATORIUM AND AMENDMENT OF THE LAND ACQUISITION DECREE IN ZANZIBAR.

851. ***Pandit Govind Ballabh Pant:** (a) Is there any substance in the report that the Zanzibar Government intend extending the moratorium till July next?

(b) Have Government impressed upon the Government of Zanzibar the desirability of adopting the recommendations of the Indebtedness Commission?

(c) Have Government of Zanzibar amended the Land Alienation Decree, as was promised by them, so as to remove its features of invidious racial discrimination at least in form?

Sir Girja Shankar Bajpai: (a) The operation of section 19 of the Alienation of Land (Restriction and Evidence) Decree has been extended till the 1st July, 1936, by Decree No. 10 of 1935.

(b) and (c). I would refer the Honourable Member to the first part of my answer to part (a) of his question No. 850.

Pandit Govind Ballabh Pant: Is it a fact that the extension of the moratorium is resented by the Indians in Zanzibar and that it has been the cause of considerable hardship and loss to them?

Sir Girja Shankar Bajpai: So far as the question of hardship is concerned, I think it is indisputable that the fact that Indians have not been able to realise their dues must have inflicted a certain amount of hardship. But I discussed this matter with the deputation which came to wait on us in December last. They said not that they generally were reconciled to the moratorium, but that they would be quite glad if the question of indebtedness were settled before the expiration of the extension to which I have referred.

Pandit Govind Ballabh Pant: Did the Chief Justice of Zanzibar preside over this Indebtedness Commission and did it include one of the African residents of Zanzibar?

Sir Girja Shankar Bajpai: The Commission, as far as I remember, consisted of the Chief Justice of Zanzibar as President, an Indian member, an Arab member and an administrative officer.

Pandit Govind Ballabh Pant: Was their report unanimous?

Sir Girja Shankar Bajpai: The report was unanimous, but there were certain additional recommendations not published with the report which were not unanimous.

Pandit Govind Ballabh Pant: Did the Commission unanimously arrive at the finding that the imputations that had been made against Indians regarding sharp practices were altogether unfounded?

Sir Girja Shankar Bajpai: My recollection of the report is that the Commission did not go so much into the question of the allegation of sharp practices as the allegation that Indians had acquired a disproportionate area of land in Zanzibar and a very large number of clove trees. It is perfectly true that the Commission's conclusion was that this allegation was not justified.

UNSTARRED QUESTIONS AND ANSWERS.

CLERKS IN THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

176. **Mr. K. L. Gauba:** (a) Will Government be pleased to lay on the table a statement showing the total number of clerical staff employed in the North Western Railway Headquarters Office, detailing the strength of various branches and sections together with the number of different grades and staff in each, also the names of the branches which have the highest proportion of higher and lower grades (higher grades III and upwards and lower grades I and II)?

(b) Will Government please state the period in which the clerks of the branch with highest proportion of higher grades have been promoted from class I to II, II to III and so on, as also the same information with regard to the Branch with the lowest proportion of higher grades?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider that the labour and expense involved in collecting it will be commensurate with the results likely to be achieved.

COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

177. **Mr. K. L. Gauba:** (a) Is it a fact that the Copying Branch of the North Western Railway Headquarters Office, Lahore, has since the amalgamation of various offices not been organized like other branches of the office up to this time? If so, why?

(b) Is it a fact that the proportion of higher and lower grades of this branch is the lowest as compared with all the remaining branches of the North Western Railway Headquarters Offices, i.e., 14 per cent. of the higher grades and 86 per cent. of the lower grades, while in some other branches it works as high as 60.6 per cent. of the higher grades and 39.4 per cent. of the lower grades (higher grades means grade III and upwards and lower means I and II)?

(c) Will Government please state the number of clerks in each grade, together with the number of years they have been at the maximum of their grades, employed in the Headquarters Office?

(d) Is it a fact that out of the total strength of 71 men in the Copying Branch of the Headquarters Office, North Western Railway, there are about 40 clerks who have been blocked on the maximum pay of different grades for several years, and there is no hope for some of them to get further promotion for another decade?

(e) Is it a fact that more than ten memorials, besides personal interviews with the Assistant Secretary, have been submitted by the staff of the Copying Branch for the betterment of their lot and to have sufficient number of higher grades in order to make this branch self-contained, consequently removing the discontentment prevailing in this branch for want of promotions?

(f) Is it a fact that all these memorials have been turned down with the remarks "Due to financial stringency, nothing can be done at present"?

(g) Is it a fact that during this period of eleven years (since the amalgamation of all North Western Railway Departmental offices) some sections have benefited to a great extent and in their case the plea of financial stringency has not been advocated? If so, will Government be pleased to state the reasons for this step-motherly treatment towards this branch?

(h) Is it a fact that those branches who have proportionately greater number of higher grades, enlist the support of the officers under whom they work directly for the betterment of their cause, whereas the Copying Branch is directly under the Assistant Secretary and none else?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed as follows:

(a) The necessity for the re-organizing of the copying branch since the amalgamation of various offices has not arisen. This branch has, however, been strengthened by the following higher grade posts, either by transfer from other offices, or extra sanctions as follows:

- 1 grade V post raised to grade VI.
- 1 additional grade IV post.
- 2 additional grade III posts.

(b) Taking grades I and II together, the copying branch has the largest proportion of lower grade posts compared with other branches. If, however, grade I is taken separately, the copying branch has not the largest proportion of these posts. Certain branches have a larger proportion of higher grades because the work they are called upon to do is of a more important nature than that of the copying branch.

(c) Government have no information and its collection will involve an amount of labour and expense not likely to be justified by the results.

(d) The present total strength of the copying branch is 76 and of these 44 are at present blocked on the maximum of their grades. As grade to grade promotions are dependent on vacancies it is impossible to say how long individuals of this branch will have to wait for promotion to higher grades.

(e) It is a fact that memorials have been submitted by the staff of the copying branch but increase in the number of higher grades in this branch cannot be justified by the nature of the work that it is required to do. The men concerned joined the service specifically as typists and knew their future prospects.

(f) Government have no information but I would invite the Honourable Member's attention to my reply to parts (b) and (e) of this question.

(g) In some of the working sections higher grades have been created, but each case is dealt with on its merits and the value of a post is fixed with due regard to the responsibility and importance of the work attached to it. The work in the copying branch is of a routine nature.

(h) No.

SUPERSESSION OF CLERKS IN THE COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

178. **Mr. K. L. Gauba:** (a) Is it a fact that some clerks, who have been transferred to other sections of the North Western Railway Headquarters Offices from the Copying Branch, have superseded their colleagues in the branch?

(b) Is it a fact that the senior clerks of this branch are not transferred to other sections like the junior ones? If so, why?

(c) Is it a fact that the work of the clerks who have been so transferred from this branch after the amalgamation in 1924, has proved satisfactory and consequently some of them have been promoted as Head Clerks and are working in charge of sections independently?

The Honourable Sir Muhammad Zafrullah Khan: (a) The seniority of a typist transferred to another section permanently would be regulated in that section by the rules in force and beyond the relief caused to the copying branch by his removal would cease to have any effect on his former colleagues in the copying branch.

(b) Typing is purely routine work and although there have been exceptions it is unusual for typists of higher grades to be found capable of filling higher posts in working sections. If senior typists were transferred to working sections, it would also be a hardship on the senior clerks who had been working in that particular section for several years.

(c) Certain selected typists, who were considered suitable to work as clerks, have been transferred to working sections and generally have given satisfaction.

PROMOTION OF CLERKS IN THE COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

179. Mr. K. L. Gauba: (a) Is it a fact that clerks in the North Western Railway Headquarters Office are not transferred from one branch to another in order to acquaint themselves with office routine like Accounts Offices, Civil and Military Offices and Commercial Offices, like the Post-master General's Office?

(b) Is it a fact that Mr. K. M. Hassan of the Railway Board, while on special duty on this Railway, recommended that subordinate staff in this branch should have a reasonable chance of promotion to higher grades where promotion is governed by branches? If so, will Government please state how far this recommendation has affected the Copying Branch of the North Western Railway Headquarters Office?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed as follows:

(a) The reply is in the affirmative. Clerks are not ordinarily transferred from one branch to another.

(b) The North Western Railway considered the recommendation and found that it was not possible to make any increase in the number of higher grade posts in the copying branch for the reasons given in reply to parts (b) and (c) of question No. 177.

SCARCITY OF HIGHER GRADES IN THE COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

180. Mr. K. L. Gauba: (a) Is it a fact that most of the persons in the Copying Branch of the North Western Railway Headquarters Office will retire on a small sum of Rs. 95 only, the maximum of class II, unless something is done to remove the scarcity of higher grades in that branch?

(b) Will Government please state what action they contemplate taking for the betterment of these men?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed as follows:

(a) It is expected that some of the typists in the copying branch will retire on Rs. 95; but Government are not prepared to accept that Rs. 95 is a small wage. This also applies to clerks in other branches.

(b) I would invite the Honourable Member's attention to my reply to part (c) of question No. 177. No action is contemplated.

INDEBTEDNESS OF CLERKS IN THE COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

181. Mr. K. L. Gauba: Are Government aware that most of the clerks in the Copying Branch of the North Western Railway Headquarters office, being poorly paid, are unable to meet with their direct necessities of life and are consequently under heavy debts to the North Western Railway Employees Co-operative Credit Society?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 181 and 182 together.

Government have no information and its collection will involve an amount of labour and expense not likely to be justified by the results.

CLERKS TRANSFERRED FROM THE COPYING BRANCH OF THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

[182. Mr. K. L. Gauba: Will Government please state the number of clerks of each class, both junior and senior who have been transferred from the Copying Branch of the North Western Railway Headquarters Office since the amalgamation in 1924?

PROMOTION OF WORKS CLERKS OF PERMANENT WAY INSPECTORS.

183. Mr. K. L. Gauba: (a) Will Government be pleased to state whether seniority of Works Clerks (Time-keeper) of Permanent Way Inspectors has been kept with Divisional Office Clerks, grade I?

(b) Is it a fact that the Works Clerks have been deprived of the privilege to appear for the Assistant Permanent Way Inspector's examination, and other low educated staff, *e.g.*, coolies, keymen and mates, are allowed to appear for the same and become Assistant Way Inspectors and can rise up to Permanent Way Inspector's post?

(c) Is it a fact that the Works Clerks have never been promoted to grade II in office or as Sub-Divisional Clerks, in spite of the Agent's orders that the Works Clerks should seek their advancement in the clerical line? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration which must be left to the Agent to decide, to whom a copy of the question has been sent for information.

SELECTION POSTS ON THE EAST INDIAN RAILWAY.

184. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that in the rules for the recruitment and training of the subordinate staff on State-managed Railways, framed by the Railway Board and issued to the Agents of State-managed Railways for compliance, it is provided that the Agent of a Railway may specify selection posts or selection grades in the cadre of each branch or department?

†For answer to this question, see answer to question No. 181.

(b) Is it also a fact that the Agent, East Indian Railway, in giving effect to the rules referred to in part (a), *vide* his Circular No. 548/A. E.-2460, dated the 1st October, 1932, has declared the following posts as selection posts:

- (1) All Inspectors in the Transportation Department.
- (2) Controllers.
- (3) Assistant Running Shed Foremen.
- (4) Station Superintendents?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state:

- (i) whether any additions have been made; if so, which posts;
- (ii) whether the staff have been advised as to which posts have been declared selection posts or selection grades; if not, why not;
- (iii) whether any provision has been made in the rules referred to in part (a), which permits Divisional Superintendents to specify selection posts or selection grades in the cadre of each branch or department; if so, under what rule;
- (iv) whether the Divisional Superintendent, Howrah, has made every post or grade on his Division "selection posts or selection grades";
- (v) the object in this particular Division to contravene the orders on the matter;
- (vi) whether the gazetted officers attached to the Howrah Division sit on the Selection Boards that are convened to fill the vacant posts; and
- (vii) whether the gazetted officers who sit on such Selection Boards are paid any fees or honoraria?

(d) Do Government propose to take disciplinary action against those responsible for breaches of the rules? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes. Government are informed as follows:

(c), (i). No.

(ii) Since no additions have been made the question of advising the staff of these does not arise.

(iii) and (iv). The reply is in the negative.

(v) The orders in force in this connection have not been contravened inasmuch as only such posts as have been declared selection posts are being treated as selection posts. For other senior posts promotions are made on the recommendations of special committees consisting of the branch officer concerned and the staff superintendent on the basis of seniority and suitability.

(vi) The reply is in the affirmative; it is presumed that the question refers to selection posts.

(vii) No.

(d) It is not understood in what way the rules have not been observed. The question of taking disciplinary action does not arise.

ACTING ALLOWANCE OF THE EMPLOYEES OF THE EAST INDIAN RAILWAY COMPANY.

185 **Mr Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether those employees of the East Indian Railway Company, who were taken over by Government when they assumed the management of that Railway, were governed in respect of pay, allowances, gratuity and provident fund, by the Company's rules as they stood on the 31st December, 1924?

(b) Is it a fact that under the Company's rules regulating acting allowance the employee who has been selected to officiate will draw half the pay of the employee against whom he is acting *plus* half his own pay provided that the minimum pay of the post is not exceeded?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether it is obligatory on the Agent and the Heads of his Departments to observe these rules?

(d) Is it a fact that the Chief Accounts Officer, *vide* his No. A/145, dated the 13th June, 1935, ordered that, with effect from the 1st April, 1935, acting allowance for the Company men will be calculated at half the minimum pay of the class or grade *plus* half the pay of the employee who has been selected to officiate?

(e) If the answer to part (d) be in the affirmative, will Government please state:

(i) whether any representation against this order of the Chief Accounts Officer was made by the Company men;

(ii) whether the matter was placed before the Agent;

(iii) whether the Agent decided that the Company's rule regarding acting allowance must be observed;

(iv) whether the Chief Accounts Officer has not acted according to the instructions of the Agent;

(v) if so, why;

(vi) whether the other departments on the East Indian Railway observe the Company's rule regulating the grant of acting allowance; and

(vii) whether the amounts due to the staff under the Company's acting allowance rule will now be paid to them; if not, why not?

(f) Is the action of the Chief Accounts Officer in conformity with the assurance given to the Company men by His Excellency the Viceroy that they need have no fears that their pay, prospects and conditions of service would suffer under State management; if not, what disciplinary action do Government propose to take against the officials responsible? If none, why not?

Mr. P. R. Rau: (a) Yes.

(b) Yes, in respect of officiating appointments to posts which are not permanently vacant.

(c) Yes.

(d), (e) and (f). Instructions issued in the Chief Accounts Officer's letter referred to are provisional, pending consideration of the whole question by Government.

ALTERATION IN GRATUITY RULES OF THE EAST INDIAN RAILWAY COMPANY.

186. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether the Railway Board or the Agent of the East Indian Railway can alter or amend the Company's rules regarding gratuity? If so, under what rule?

(b) Is it a fact that it is one of the conditions, on which the staff were taken over from the Company, that they would be governed by the Company's Gratuity Rules as they stood on the 31st December, 1924?

(c) Have any of the Company's rules been altered or amended after the 31st December, 1924? If so, will Government please lay a statement on the table of the House showing particulars of the rules which have been altered or amended?

(d) Is a Company Gazetted Officer entitled to gratuity on resignation? If so, under what rule? Has any case recently occurred when gratuity has been paid to an officer after resignation? If so, why?

(e) Is it a fact that the Railway Board, *vide* their No. 9287-1., dated the 26th January, 1935, amended certain rules? If so, was it with the object to regularise an irregular payment of Rs. 8,000?

(f) Is it also a fact that the order of the Railway Board in this case was to have retrospective effect? If so, why?

(g) Will Government please state whether it is their policy that when any irregularities are committed by their gazetted officers on the East Indian Railway, in which a financial loss is involved, the rules are altered or amended and given retrospective effect in order to regularise the expenditure, and in the cases of their non-gazetted staff, to recover the amounts from their dues as well as to inflict punishments? If not, what action do Government propose to take in the recent cases?

Mr. P. R. Rau: (a) Amendments to the East Indian Railway Company's Gratuity Rules can be made by the Governor General in Council in respect of certain staff and by the Secretary of State for India in Council in respect of others.

(b) Yes.

(c) The East Indian Railway Gratuity Rules have not been altered or amended after 31st December, 1924.

(d) Under rule 1 (i) of the East Indian Railway Gratuity Rules a Gazetted officer is eligible for gratuity after he has completed 30 years' service or has attained the age of 50 years and cases of this nature are of common occurrence. The concluding portion of this part of the question does not arise.

(e) The answer to the first part is in the negative; the second part does not therefore arise.

(f) No question of retrospective effect arises as the letter referred to did not amend the existing rules.

(g) No. Government do not consider any further action necessary.

GRANTS FROM THE STAFF BENEFIT FUND ON THE EASTERN BENGAL RAILWAY.

187. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether the Eastern Bengal Railway has a Staff Benefit

Fund? If so, are grants as well as loans from this fund given to the non-gazetted staff?

(b) Have any rules been framed for the disbursement of money from this fund? If so, will Government please state:

- (i) whether there is any rule which permits three or four grants (not loans) to be given to an employee who is working and who is in receipt of full pay from the Railway; if not, whether any case has occurred at Sealdah Station; if so, why;
- (ii) whether committees are formed in each district, or there is one committee at the Head Office which deals with all cases;
- (iii) whether the members of the committee are both gazetted and non-gazetted staff; and
- (iv) whether appointment to this committee is by election or nomination?

(c) Are Government aware that there is considerable discontent among the staff regarding the manner in which grants are made and to particular individuals? If not, do Government propose to examine the working of this committee? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Reply to both the parts is in the affirmative.

(b) As regards the first part of the question, the working of the Eastern Bengal Railway Staff Benefit Fund is governed by the Rules of the Railway Staff Benefit Fund for State-managed Railways, which formed an annexure to the Railway Department (Railway Board) Resolution No. 61-L., dated the 1st April, 1931, a copy of which is in the Library of the House. As regards the latter part, the reply is as follows:

(i) and (ii). Government have no information.

(iii) Yes.

(iv) By nomination and election in accordance with the provisions of Rule 3 of the Rules of the Railway Staff Benefit Fund for State-managed Railways referred to in reply to the first part of part (b) of this question.

(c) Government have no information. This is a matter of detailed administration and I am sending to the Agent, Eastern Bengal Railway, a copy of the question for such action as he may consider necessary.

AMALGAMATION OF THE PRESSES OF THE EASTERN BENGAL AND EAST INDIAN RAILWAYS.

188. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that on the amalgamation of the Presses of the Eastern Bengal and East India Railways, the Ticket Supply Branch on the Eastern Bengal Railway was also transferred to the East India Railway? If so, was any reduction in staff of both railways made as a result of this combination? How many men from each railway were discharged?

(b) Is it a fact that the pay of the post of Chief Clerk, grade Rs. 290, of the Ticket Supply Branch of the Eastern Bengal Railway was, some-time after the amalgamation, reduced to Rs. 170?

(c) Will Government please state whether the treatment accorded to gazetted officers and non-gazetted staff, when their posts are abolished, is alike?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply to the first part is in the affirmative. As regards the latter parts available information has already been laid on the table of the House on the 18th July, 1934, in reply to question No. 240 (a) asked by Mr. S. C. Mitra on 5th December, 1933.

(b) Government have no information.

(c) Yes.

PROMOTIONS ON THE EAST INDIAN RAILWAY.

189. **Mr. Amarendra Nath Chattopadhyaya:** (a) With reference to the reply given in this House to starred question No. 1000 on the 31st August, 1934, that, in accordance with the rules for the recruitment and training of subordinate staff on the East Indian Railway, promotions are made according to seniority and merit, will Government please state:

(i) whether "seniority" means length of service on the Railway or in particular grades; and

(ii) whether "merit" means the passing of the prescribed departmental examinations in addition to efficient work?

(b) If the answers to part (a) be in the negative, what is the definition of the words "seniority" and "merit" as applied in the making of promotions?

(c) Is it a fact that different interpretations are given to "seniority" and "merit" on the various Divisions and in the Headquarters Offices of the East Indian Railway?

(d) Is it also a fact that the Superintendents, Commercial and Staff, on the Howrah Division have decided:

(i) that "seniority" is to be calculated on the length of service in the Railway; and

(ii) that "merit" is to be interpreted as including those of the staff, who have not passed the prescribed departmental examinations?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Seniority in a grade is ordinarily determined from the date of confirmation in that grade. As regards merit not only the passing of departmental examinations but also record of service, personality, character and educational qualifications are taken into consideration.

(c) The instructions issued by the Headquarters office are intended to be followed uniformly on all divisions. Any cases of wrong interpretation of orders are corrected when brought to notice.

(d), (i) and (ii). No.

PROMOTION OF GUARDS ON THE EASTERN BENGAL RAILWAY.

190. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether, in the rules for the recruitment and training of staff on State-managed Railways framed by the Railway Board and issued

to the Agent, Eastern Bengal Railway, for compliance, provision has been made that the recruitment of guards and their normal avenues of promotions are:

Probationary guards, guards grade A, guards grade B, Assistant Station Masters or Yard Foremen, etc.?

(b) If the answer to part (a) be in the affirmative, will Government please state whether any promotions have been made of guards grade A to grade B within the past five years? If not, is it due to the fact that there have been no vacancies in grade B? If not, what is the reason for not promoting the grade A guards?

(c) Is it with the object of keeping down working expenses? If so, are gazetted officers and non-gazetted staff treated alike in this matter? If not, will Government please state the reasons for this differential treatment to one class of their employees?

(d) Are there any cases in which promotions have not been made in the gazetted service on the Eastern Bengal Railway?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) to (d). I would invite the Honourable Member's attention to my reply to Pandit Sri Krishna Dutta Paliwal's unstarred question No. 97 which was laid on the table of the House on the 12th February, 1936.

EMPLOYMENT OF THE PRINTING SUPERINTENDENT OF THE EAST INDIAN RAILWAY AS CARETAKER OF THE HEAD OFFICE BUILDINGS IN ADDITION TO HIS OWN DUTIES.

191. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the Printing Superintendent of the East Indian Railway is employed as the Caretaker of the head office buildings in addition to his own duties on an allowance of Rs. 125 per mensem?

(b) If the answer to part (a) be in the affirmative, will Government please state whether it is open to a gazetted officer to work in a dual capacity, namely, as a gazetted officer and a subordinate at the same time?

(c) Who is the immediate superior officer over the Caretaker and what supervision does he exercise over this subordinate?

(d) Does this practice prevail on the other State-managed Railways?

(e) Are Government prepared to consider the advisability of having a whole time subordinate for this post? If not, why not?

(f) Does the post of Caretaker carry rent free quarters?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) There is no separate post of Caretaker for the head office buildings. The Printing Superintendent also performs the duties of a Caretaker of the head office buildings.

(c) The Agent, who exercises the necessary supervision.

(d) Government have no information.

(e) No, as the existing arrangement is quite satisfactory and economical.

(f) No.

**ABSENCE OF AN OFFICE SUPERINTENDENT IN THE CHIEF ACCOUNTS OFFICE,
EAST INDIAN RAILWAY.**

192. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether there are Office Superintendents in the following offices of the East Indian Railway:

Agent, Chief Engineer, Chief Mechanical Engineer, Deputy Chief Mechanical Engineer, Chief Operating Superintendent, Chief Commercial Manager, Colliery Superintendent, Chief Medical Officer, Controller of Stores, Printing Superintendent, and the Divisional Superintendents?

(b) If the answer to part (a) be in the affirmative, why has the Chief Accounts Officer been deprived of an Office Superintendent?

(c) Do Government propose to have a uniform system of management? If not, why not?

Mr. P. R. Rau: (a) Yes, though in some of the offices the designation of the post differs.

(b) Accounts offices are differently organised and each important section is placed under a Senior Accountant who is on about the same scale as an Office Superintendent.

(c) No: because it is considered unnecessary.

**NON-GRANT OF CALCUTTA ALLOWANCE TO THE OLD OUDH AND ROHILKUND
RAILWAY EMPLOYEES ATTACHED TO THE OFFICE OF THE WORKSHOP
ACCOUNTS, LILLOOAH.**

193. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the gazetted and non-gazetted staff of the East Indian Railway attached to the office of the Workshop Accounts, Lillooah, are in receipt of a Calcutta allowance?

(b) Is it also a fact that this allowance is denied to those of the staff attached to that office who were formerly employed on the Oudh and Rohilkhand Railway?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state why this discriminatory treatment has been made to deprive one set of their employees of an allowance which is enjoyed by the other staff attached to the same office?

(d) What action do Government propose to take? If none, why not?

Mr. P. R. Rau: (a) and (b). Gazetted officers of the East Indian Railway who are stationed at Calcutta or Lillooah receive a compensatory allowance. They also receive a house rent allowance when not occupying Railway quarters. Non-gazetted staff, except those who are on the new scales of pay introduced in 1933, are not eligible for a compensatory allowance in addition to their pay.

(c) and (d). There is no discriminatory treatment against one set of employees and Government do not therefore consider any action is called for.

RULES REGARDING DISCIPLINARY ACTION AGAINST NON-GAZETTED STAFF ON THE EAST INDIAN RAILWAY.

194. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that the Railway Board forwarded with their letter No. E. 34-R. G.-6, dated the 22nd June, 1935, to the Agent, East Indian Railway, rules regarding disciplinary action against non-gazetted staff;
- (ii) that the Home Department, Government of India, notification No. F. 6/7/33-II, dated Simla, the 19th June, 1933, was attached as an Appendix to the said rules; and
- (iii) that the Agent has published this notification in his Railway's Gazette in September 1935?

(b) Will Government please state whether the notification of the Home Department had been published by the Agent previous to September, 1935? If so, when?

(c) Is it a fact that Rule 13 of the notification provides that a petition to the Governor General in Council can be withheld if it is "a representation against an order communicated to the petitioner more than six months before the submission of the petition, and no satisfactory explanation of the delay is given"? If so, can the Agent or the other Local Government, as provided in the schedule, withhold a petition on the ground that it was not submitted within six months from the date the order petitioned against was communicated to the petitioner?

(d) If the answer to part (c) be in the affirmative, will Government please state why their non-gazetted employees should suffer for the delay in giving publicity to the notification of more than two years from the time the rules were framed?

(e) Do Government propose to advise the Agent and the other Local Governments who are under the control of the Agent, not to withhold any petition under rule 13? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i), (ii) and (iii). Yes.

(b) No.

(c) The reply to the first part is in the affirmative. As regards the second part, a petition may be withheld by a competent authority if no satisfactory explanation for the delay is given.

(d) The rule referred to in part (c) of the question remained practically the same under the Home Department Notification No. F.-6/7/33-II, dated the 19th June, 1933, as it was under the previous orders which were in force on this subject and so the question of the staff suffering as a result of the Agent, East Indian Railway, not publishing the notification referred to in part (a), (ii) of the question earlier does not arise.

(e) I presume the Honourable Member refers to the petitions that may have been received between June, 1933, to September, 1935. If so, in view of my reply to part (c) the question does not arise.

APPLICABILITY OF THE RULES FOR THE RECRUITMENT AND TRAINING OF
NON-GAZETTED STAFF TO THE EAST INDIAN RAILWAY.

195. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact:

- (i) that the Railway Board has framed rules for the recruitment and training of the non-gazetted staff on State-managed Railways;
- (ii) that the Agent, East Indian Railway, has issued these rules *vide* his Circular No. 548/A. E.-2460, dated the 1st October, 1932, for the information and guidance of the staff concerned; and
- (iii) that it is stated in Note 3 of Rule 1 that rules will be issued separately for the office staff?

(b) Will Government please state:

- (i) whether any rules have been framed by the Railway Board regarding the recruitment and training of the office staff; if so, whether these have been forwarded to the Agent, East Indian Railway for compliance; if not, the cause of the delay;
- (ii) whether these rules will be published and be available to the staff who are governed by them; if not, why not;
- (iii) whether any provisions have been made for the recruitment, training and avenues of promotions of typists and stenographers: if not, whether the necessary rules will be framed;
- (iv) whether typists and stenographers are eligible for transfers or promotions as clerks, head clerks, etc.; if not, why their avenues of promotions are restricted; and
- (v) whether these rules will be applicable to all departments including the Accounts Department; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i), (ii) and (iii). Yes.

(b), (i), (iii) and (iv). Rules regarding the recruitment and training of office staff are under preparation in consultation with the Agents of State-managed Railways. The suggestions made are already under consideration.

(ii) Yes.

(v) The Accounts Department have already their own rules on the subject.

RULE *RE* RETURN OF GOVERNMENT PROPERTY BY RAILWAY EMPLOYEES ON
LEAVING SERVICE.

196. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether there is any rule in the General Rules for open lines which requires that when a railway servant employed on a State-managed Railway leaves the service, he must deliver up to the Railway Administration, or to a person appointed by the Railway Administration in this behalf, any Government property in his custody which belongs to the Railway Administration? If so, under what rule?

(b) Is it a fact that a clause to this effect is entered in the service agreements executed by every non-gazetted employee?

(c) Will Government please state whether the cost of articles not returned after termination of service is recovered from the dues of the employee? Is this obligatory or discretionary?

(d) What is the procedure in the Asansol Division of the East Indian Railway in regard to non-return of Government property? Is it left to the discretion of the Divisional Superintendent, or of the employee concerned, whether the articles are to be returned or not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, under rule 186.

(b) There is a clause in the agreement of non-gazetted employees that they are bound to abide by all the instructions and regulations for the time being in force and contained in the General Rules for Indian Railways.

(c) It will depend upon the circumstances of a case.

(d) Government have no information, but have no reasons to believe that the rule is not being observed. I have, however, sent a copy of the question to the Agent, East Indian Railway, for information and such action as he may consider necessary.

TEST FOR GUARDS ON THE EAST INDIAN RAILWAY.

197. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether there is any provision in the rules framed under the requirements of the Indian Railways Act, which requires that a railway servant must first qualify by passing an examination in guard's duties before he is permitted to work as a guard in charge of trains? If so, under what rule?

(b) Are guards required to sit for examinations in guards' duties and to pass them at regular or irregular intervals? If so, under what rule?

(c) Who examines candidates for the guards' examination on the East Indian Railway?

(d) Is it a fact that the East Indian Railway have established Training Schools where guards have to go through Refresher courses? At what intervals are guards required to go to these schools for refresher courses?

(e) If the answer to part (d) be in the negative, will Government please state whether the Superintendent, Training School, examines guards in guards' duties?

(f) Is this examination confined to guards specially selected or to all guards by turns?

The Honourable Sir Muhammad Zafrullah Khan: (a) No. Rule 175 of "General Rules", however, requires that every railway servant shall make himself acquainted with the rules relating to his duties and a guard is required to pass an examination in guard's duties before he is permitted to work as a guard in charge of trains.

(b) Government are informed that on the East Indian Railway guards are not required to sit for examination, but if a guard in his work displays an ignorance of rules or there is any reason to suspect that his knowledge is insufficient he is sent to the Divisional Superintendent's office and examined in the rules by a Superintendent, Transportation, or one of his Assistants. A guard may be sent for examination any time to ensure that he is up to date in the knowledge of his duties.

(c) Before a guard is allowed to work in charge of trains he is examined by a transportation inspector and finally by a Transportation officer.

(d) and (e). Guards have to go through refresher courses in the training school every five years.

(f) Every guard has to pass the examination after appointment before he is allowed to work trains. The question of his being required to undergo any further examination depends on the circumstances mentioned in reply to part (b) of this question.

ALTERATION IN AGE OF EMPLOYEES ON THE EAST INDIAN RAILWAY.

198. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the Agent, East Indian Railway, has, in his Minute Sheet No. A. E. 816/1, dated the 2nd January, 1936, stated?

"I am directed to inform you that in future each application for an alteration of an employee's age will be considered on its merits, admitting cases where (i) a clerical error has undoubtedly occurred in preparing the original records, (ii) sufficient proof is produced to establish that wrong age was given originally through a genuine error and (iii) the original age recorded was obviously incorrect and was probably a careless estimate usual in the case of illiterate staff."

(b) Will Government please state what provisions have been made by the Agent regarding those cases which have been brought to notice before the issue of his Minute Sheet No. A. E. 816/1 of 2nd January, 1936? If none, do Government propose to consider the cases of those employees? If not, why not?

(c) Is it a fact that there has been no uniform system of dealing with such cases prior to the issue of the Minute Sheet?

(d) What action do Government propose to take? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (c). Government are informed that before the issue of minute sheet referred to certain applications for alterations in age which were submitted by staff were dealt with on their merits but the general principles contained in the minute sheet in question have all along been followed. The latter part of the question does not arise.

(d) Government do not consider any action is necessary.

LATE SUPPLY OF FORMS BY THE FORMS PRESS, ALIGARH.

199. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that various complaints were made to the Manager of the Government Press, Aligarh, by the Posts and Telegraphs Department concerning the late supply of the forms? If so, what were the underlying causes of this late supply and what steps were taken by the Controller of Printing and Stationery to remedy the same?

(b) Do Government, in this connection, intend to engage the services of a qualified England-returned Overseer or Assistant Manager?

The Honourable Sir Frank Noyce: (a) Some complaints were made. The delay was due to an abnormal and unforeseen increase in the demand for certain forms. Steps were taken both by the Director General, Posts and Telegraphs, and by the Managers of the Presses to ensure as far as possible that the demands made on the Presses will be capable of prompt supply.

(b) No such question has arisen.

WORK ON HOLIDAYS AND OVERTIME DONE BY THE INDUSTRIAL EMPLOYEES OF THE FORMS PRESS, ALIGARH.

200. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that during the last few months industrial employees of the Government Press, Aligarh, were compelled to work overtime daily and also on holidays? If so, what was the urgency of this continued overwork?

(b) Is this overtime work being taken even now from those employees? If so, why have Government not yet considered the scheme of increasing the strength of the staff?

(c) What was the amount of the production of printing work during the last three years?

(d) Will Government be pleased to put the whole statistics of that period and point out the amount paid for idle time during that period?

The Honourable Sir Frank Noyce: (a) Yes. The industrial employees were required to work overtime to cope with the unusual pressure of work.

(b) No, the pressure of work was only temporary. The latter part of the question does not arise.

(c) and (d). A statement showing the required information is appended.

| Year. | Overtime hours worked. | Payment for idle time including stoppage for repairs. |
|--|------------------------|---|
| | | Rs. |
| 1933-34 | 34½ | 3,344 |
| 1934-35 | 85 | 2,416 |
| 1935-36 (up to 30th January, 1936) . . . | 114 | 311 |

**INDUSTRIAL EMPLOYEES OF THE FORMS PRESS, ALIGARH, BOOKED TO
WORK OVERTIME.**

201 Pandit Sri Krishna Dutta Paliwal: Is it a fact that the industrial employees of the Government Press, Aligarh, were booked to work overtime in continuation of their normal period of work without giving them any rest, as required under the Factories Act?

The Honourable Sir Frank Noyce: No.

**PROMOTIONS AND APPOINTMENTS IN THE INDUSTRIAL BRANCH OF THE
FORMS PRESS, ALIGARH.**

202. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that Government orders concerning communal composition in the case of promotions and appointments were not taken into consideration in the industrial branch of the Aligarh Press?

(b) Will Government be pleased to lay on the table a statement showing the figures of promotions and appointments made during the last two years in this industrial branch of the Aligarh Press?

The Honourable Sir Frank Noyce: (a) No. Recruitment to the industrial establishment in the Aligarh Press is made in accordance with the orders regarding communal representation. These orders do not apply to recruitment by promotion.

(b) The number of persons appointed by direct recruitment to superior posts in the industrial establishment in 1934 included two Hindus, two Muslims and one Christian; in 1935 three Hindus were so appointed. This excludes appointments in leave vacancies which were all for less than three months in duration.

RECRUITMENT OF INFERIOR SERVANTS IN THE FORMS PRESS, ALIGARH.

203. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that rules regarding communal representation do not apply to inferior servants of the Aligarh Press?

(b) If so, will Government be pleased to state what measures they propose to take in matters of promotion of persons in the inferior establishment to the superior establishment, when members of one particular community are being recruited to the inferior establishment in majority in the industrial staff?

The Honourable Sir Frank Noyce: (a) Yes.

(b) Promotion from an inferior to a superior post is treated as direct recruitment and is subject to the orders regarding communal representation.

**EXTENSION OF CERTAIN POWERS VESTED IN THE ASSISTANT MANAGER,
FORMS PRESS, ALIGARH.**

204. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that in the Aligarh Press all cases of industrial and non-industrial branches and of leave and promotions and appointments of clerical staff are submitted to the Assistant Manager?

(b) If so, will Government be pleased to state why the extension of the powers vested in the Assistant Manager for the industrial staff, has been extended to the non-Industrial staff? Is it provided for in the rules?

The Honourable Sir Frank Noyce: (a) Yes.

(b) This course has been adopted for the convenience of the administration of the Press. Provision is not made for this in the rules.

COMMUNITY OF THE HEADS OF SECTIONS OF THE INDUSTRIAL BRANCH OF THE FORMS PRESS, ALIGARH.

205. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the heads of almost all the sections of the Industrial Department of the Aligarh Press, belong to one particular community?

(b) If so, do Government propose to break this monopoly by interchanging such heads of various sections by those of other Government of India Presses? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes.

(b) No. Because apart from difficulties arising from the differing scales of pay the carrying out of the proposal would involve unnecessary expense both to Government and to the individuals concerned.

CONTRIBUTIONS TO THE LEAGUE OF NATIONS.

206. **Sardar Sant Singh:** (a) Will Government be pleased to state what contributions have been paid from the revenues of India to the League of Nations from its inception up till now?

(b) How much contribution has been made by the Governments of Great Britain, Canada, Australia, South Africa and other members of the British Empire?

(c) Are Government prepared to give notice to the League of Nations of withdrawing from its membership?

The Honourable Sir Nripendra Sircar: (a) and (b) Two statements are laid on the table.

(c) No.

Statement showing India's contribution to the League of Nations, 1921—1936.

| Year. | Amount. |
|---------------------|-----------|
| | Rs. |
| 1921-1922 (Actuals) | 5,49,160 |
| 1922-1923 " | 4,37,480 |
| 1923-1924 " | 7,77,990 |
| 1924-1925 " | 7,05,260 |
| 1925-1926 " | 5,32,880 |
| 1926-1927 " | 5,44,150 |
| 1927-1928 " | 6,07,120 |
| 1928-1929 " | 6,85,530 |
| 1929-1930 " | 7,56,130 |
| 1930-1931 " | 8,10,450 |
| 1931-1932 " | 9,02,790 |
| 1932-1933 " | 13,04,880 |
| 1933-1934 " | 13,83,640 |
| 1934-1935 " | 14,37,373 |
| 1935-1936 (Revised) | 14,82,000 |
| 1936-1937 (Budget) | 14,31,000 |

Statement showing the amounts in Gold Francs contributed by Great Britain and the several British Dominions for the years 1919—1936.

| Year. | Country. | Amount in Gold Francs. |
|-------|---------------|------------------------|
| 1919 | Great Britain | 293,615 |
| | South Africa | 293,615 |
| | Australia | 293,615 |
| | Canada | 293,615 |
| | New Zealand | 35,232 |
| 1920 | Great Britain | 523,000 |
| | South Africa | 523,000 |
| | Australia | 523,000 |
| | Canada | 523,000 |
| | New Zealand | 62,760 |
| 1921 | Great Britain | 1,041,666 |
| | South Africa | 1,041,666 |
| | Australia | 1,041,666 |
| | Canada | 1,041,666 |
| | New Zealand | 125,000 |
| 1922 | Great Britain | 1,011,335 |
| | South Africa | 1,011,335 |
| | Australia | 1,011,335 |
| | Canada | 1,011,335 |
| | New Zealand | 121,360 |
| 1923 | Great Britain | 2,583,668·64 |
| | South Africa | 407,947·68 |
| | Australia | 707,109·31 |
| | Canada | 951,877·92 |
| | New Zealand | 271,965·12 |
| 1924 | Great Britain | 2,193,733·62 |
| | South Africa | 373,931·91 |
| | Australia | 648,148·64 |
| | Canada | 872,507·79 |
| | New Zealand | 249,287·94 |
| 1925 | Great Britain | 2,132,530·53 |
| | South Africa | 363,409·54 |
| | Australia | 630,065·87 |
| | Canada | 848,165·60 |
| | New Zealand | 242,333·03 |
| 1926 | Great Britain | 2,569,001·33 |
| | South Africa | 367,085·91 |
| | Australia | 660,754·64 |
| | Canada | 856,533·79 |
| | New Zealand | 244,723·93 |
| 1927 | Great Britain | 2,417,128·95 |
| | South Africa | 323,711·29 |
| | Australia | 596,928·09 |
| | Canada | 781,417·53 |
| | New Zealand | 228,235·05 |
| 1928 | Great Britain | 2,486,536·50 |
| | South Africa | 333,626·67 |
| | Australia | 614,775·74 |
| | Canada | 804,553·39 |
| | New Zealand | 234,845·30 |
| 1929 | Great Britain | 2,702,598·57 |
| | South Africa | 375,289·11 |
| | Australia | 682,644·26 |
| | Canada | 888,720·17 |
| | New Zealand | 256,406·50 |
| 1930 | Great Britain | 2,900,767·72 |
| | South Africa | 403,598·96 |
| | Australia | 733,601·99 |
| | Canada | 954,776·61 |
| | New Zealand | 275,279·74 |

Statement showing the amounts in Gold Francs contributed by Great Britain and the several British Dominions for the years 1919—1936—contd.

| Year. | Country. | Amount in Gold Francs. |
|-------|---------------|------------------------|
| 1931 | Great Britain | 3,225,042·12 |
| | South Africa | 449,923·88 |
| | Australia | 816,986·86 |
| | Canada | 1,062,867·99 |
| | New Zealand | 306,163·02 |
| 1932 | Great Britain | 3,466,499·54 |
| | South Africa | 484,417·81 |
| | Australia | 879,075·92 |
| | Canada | 1,143,353·80 |
| | New Zealand | 329,158·96 |
| 1933 | Great Britain | 3,466,724·80 |
| | South Africa | 495,246·40 |
| | Australia | 891,443·52 |
| | Canada | 1,155,574·93 |
| | New Zealand | 330,146·27 |
| 1934 | Great Britain | 3,195,379·60 |
| | South Africa | 456,482·80 |
| | Australia | 821,660·05 |
| | Canada | 1,065,126·55 |
| | New Zealand | 304,321·85 |
| 1935 | Great Britain | 3,180,936·95 |
| | South Africa | 454,419·55 |
| | Australia | 817,955·20 |
| | Canada | 1,060,312·30 |
| | New Zealand | 302,946·35 |
| 1936 | Great Britain | 3,021,593 |
| | South Africa | 431,656·15 |
| | Australia | 776,981·05 |
| | Canada | 1,007,197·65 |
| | New Zealand | 287,770·80 |

BAN ON THE CARRYING OF *KIRPANS* BY SIKHS IN LAHORE.

207. **Sardar Sant Singh:** (a) Is it a fact that a District Magistrate of Lahore issued orders under section 144, Criminal Procedure Code, banning the carrying of *kirpans* by the Sikhs in the town of Lahore?

(b) Is it a fact that the exemption granted under the Arms Act to the Sikhs for possessing and carrying of *kirpans* was granted by the authority of the Governor General in Council?

(c) What steps have the Government of India taken to annul the orders of the District Magistrate?

(d) Are Government aware that the Sikhs have been greatly perturbed over this order?

(e) How many persons have been prosecuted for carrying *kirpans* and how many for disobeying this order?

The Honourable Sir Henry Craik: (a) My information is that there was an order under section 144 banning the carrying in public of only such *kirpans* as were capable of use as weapons.

(b) Yes, under rule 3 of the Indian Arms Rules.

(c) and (d). I would refer the Honourable Member to the reply given to parts (b) and (c) of Sardar Mangal Singh's starred question No. 697 on the 20th February, 1936.

(e) I have no information regarding the total number of persons prosecuted for carrying *kirpans* or for disobedience of the order promulgated by the District Magistrate.

ADVANCEMENT OF DAIRY INDUSTRY IN INDIA.

208. **Sardar Sant Singh:** (a) What has been done to improve the dairy breed in India?

(b) How much money has been sanctioned in the last five years, and how is it spent?

(c) What has been done to educate general public as to the use of purer milk and its products which are best for human life?

(d) What has been done for the advancement of dairy industry in India?

(e) What are the agencies to carry on the above work?

(f) How does the money spent on this compare with Great Britain in view of the revenue, taxes and duties realized by the Government on milk and its products, chiefly *ghee*?

(g) Will Government please lay on the table a comparative statement of consumption of milk per head in India as compared with Great Britain and United States?

Sir Girja Shankar Bajpai: (a) Since the appointment of the Imperial Dairy Expert was created in 1923, systematic work for the improvement of dairy breeds of cattle has been carried on under his administration as follows:

The Seindi and Gir breeds—at Bangalore and Wellington.

The Thar-parkar and Haryana breeds—at Karnal.

The Murra breed of buffaloes—at Bangalore and Karnal.

In addition a pedigree herd of Sahiwal cattle has been maintained at Pusa for many years. Local Governments have also maintained special herds of dairy cattle at various provincial centres. With the object of assisting private breeders to obtain better prices for pedigree animals the Advisory Board of the Imperial Council of Agricultural Research has recently approved a scheme for the establishment of official herd-books for the most important dairy breeds of India. The results of the valuable work on Indian dairy cattle carried out on the Military Dairy Farms for many years past have been placed at the disposal of the Council for statistical examination. These have recently been published in *Agriculture and Livestock in India*, November 1934, and the *Indian Journal of Veterinary Science and Animal Husbandry*, Volume IV, parts 1, 2 and 3 (1934). Copies of these journals are available in the Library of the House.

(b) The expenditure by the Government of India during the past five years for the development of the dairy industry has amounted to about Rs. 21 lakhs.

(c) All provinces are carrying out general hygiene publicity work by the agency of a hygiene publicity bureau, special officers or general public health staff. Pamphlets, lectures, cinema films and health exhibitions are all utilised in this campaign which includes educative propaganda on the use of pure milk. The provinces also have food legislation which lays down standards for the purity of milk and milk products and provides for sampling and analysing and prosecution of defaulters. Infant welfare clinics throughout the provinces teach the importance of using pure milk in cases where a mother is unable to nurse her child.

(d) The Imperial Dairy Expert has three farms and an experimental creamery at his disposal. A special grant of Rs. 6 lakhs has recently been made by the Government of India for the further development of these institutions, for experimental work and the training of students in dairy technology.

(e) The principal agency is the Imperial Dairy Institute and its branches. In addition the improvement of dairy cattle and of fodder crops is dealt with at the Imperial Institute of Agricultural Research, and at provincial farms and experiment stations. The first named institution provides a comprehensive course of instruction in Dairying for the Indian Dairy Diploma. General instruction in the management of dairy cattle is given as part of the degree courses at the provincial agricultural colleges and at some veterinary colleges.

(f) Comparative figures are not available.

(g) Reliable figures are not available.

COMPETITION OF MILITARY DAIRY FARMS WITH PRIVATE DAIRY BUSINESS.

209. Sardar Sant Singh: Is it a fact that Military Dairy Farms, which are exclusively meant for the supply of troops, are supplying and competing with private individuals in dairy business? If so, how do Government propose to stop this?

Mr. G. R. F. Tottenham: The military dairies are maintained on a scale sufficient to meet the fluctuating demands of the Army in peace and to allow for expansion in war. This necessarily involves the production of a small surplus in time of peace, and, in order that the dairies may be run on an economic basis, this surplus must be disposed of to persons not connected with the Army.

The disposal of the surplus is arranged in such a way as to interfere as little as possible with private enterprise. Sales to the public are only made at remunerative rates and no steps are taken by means of advertising to give them special encouragement.

MANAGERS IN THE MILITARY DAIRY FARMS.

210. Sardar Sant Singh: (a) How many Indian and European Managers are in the Military Dairy Farms at present, and what is the pay of the European and Indian Managers?

(b) What is being done to have some more Indian Managers in the Military Dairy Farms?

Mr. G. R. F. Tottenham: (a) Sixteen British and six Indian. The pay of the former is Rs. 340 rising to Rs. 1,050 per mensem with efficiency bars at Rs. 540, 700 and 850 and that of the latter Rs. 200 rising to 500 per mensem with efficiency bars at Rs. 290 and 410.

(b) Recruitment of British managers ceased in 1922, since when all vacancies caused by the retirement of British managers are being filled by Indians.

**CONTINUANCE OF THE *WASIKA* IN FULL TO THE SURVIVING DESCENDENTS OF
RAJA BODH SINGH.**

211. **Mr. Sri Prakasa:** (a) With reference to the answers communicated to the Honourable Rai Bahadur Lala Mathura Prasad Mehrotra by the Political Secretary to the Government of India with his letter No. D. 3743-G./34, to his questions admitted as serial Nos. 157-160 in the final list of the Council of State, dated August 30, 1934, are Government aware with regard to answers to question No. 157 (d) & (e), that in the matter of succession to the *wasika*, the deed of deposit in Persian contains the words "*Shan wa warshan shan naslan bad naslan*" and the words in Aitchison's 'Treaties' are: ' . . . to their heirs and successors for ever'?

(b) Will Government state how the principle that collaterals are excluded on the lineal heirs being extinct came to be accepted?

(c) With regard to answers to questions Nos. 157 (h) and 158 (b), are not Government aware of the contradictory nature of the statements made?

(d) Is it not a fact that in the deed of deposit as well as in the letters to the Resident, Darab Ali Khan's status is mentioned as that of a free citizen and as the master of his own property?

(e) Is it a fact that the Begum sought the British Government's assistance in saving her relations and dependents from tyranny and oppression, and that as mentioned in Aitchison's 'Treaties', her fears against the intentions of the Nawab Vazeer led to the institution of *amanat wasika*?

(f) Is it not a fact that in 1820, Raja Bodh Singh succeeded to the *wasika* of his brother Darab Ali Khan? Was this assured to be hereditary and proved by the letters of residents?

(g) Are Government aware of the wording of the Rupkar of 1841 which says: "from the old official and office reports it has been discovered that the dependents of the late Darab Ali Khan are drawing their allowance which was fixed to them generation to generation and that consequently the pension of Raja Bodh Singh is worth being continued because he was own brother of Darab Ali Khan", and also "Bechu Singh is entitled to inherit his father's pension", and that "the petitioner is entitled to succeed to the late Raja Bodh Singh's pension and it is therefore ordered that the pension of the late Raja Bodh Singh be fixed in the name of his son Babu Bechu Singh".

(h) With regard to answer to question No. 159, are Government aware that on consideration of the Rupkar of 1841, and other papers, the Government of India declared in 1871, that the pension of Babu Bechu Singh must descend to his heirs?

(i) Are Government aware of the continuous wrong that has been done to the descendents of Raja Bodh Singh, the heir of Darab Ali Khan, on account of their not receiving all that is their due under the Begum's deed of deposit?

(j) Are Government prepared to order that the *wasika* be continued in full to the surviving descendents of Raja Bodh Singh?

Sir Aubrey Metcalfe: (a) Yes.

(b) This principle was accepted at a very early date. As long ago as 1839 the claims of collateral relatives were rejected. Subsequently, in 1898, the Government of India framed a rule that "no heir who is not in the direct line of descent from an original grantee can succeed to any portion of a *Wasika*. Such heirs must be treated as non-existent".

(c) There is no apparent contradiction.

(d) Darab Ali Khan is described as a faithful servant in the Deed of Deposit. The descriptions referred to are not readily traceable in letters to the Resident.

(e) Yes.

(f) Raja Bodh Singh did not succeed to the *Wasika* of Darab Ali Khan as a matter of right. The Resident exerted his influence and the King of Oudh assigned to him a monthly sum of Rs. 500 as an act of grace. There was no assurance that this stipend would be treated as hereditary.

(g) In issuing the *Rubkar* of 1841 in favour of Babu Bechoo Singh, the fact that the stipend of Rs. 500 had been granted to his father, Raja Bodh Singh, as an act of grace was ignored, but in 1874 the Government of India held that the orders in Bechoo Singh's case were passed under a misapprehension.

(h) Yes.

(i) No, *vide* the answer to part (f) above.

(j) Out of the *Wasika* of Rs. 500 per mensem, Rs. 266-10-8 per mensem have already lapsed and allowances of Rs. 233-5-4 per mensem are still enjoyed by members of Bodh Singh's family. These *Wasikas*, being tenable for life only, will lapse after the deaths of the present recipients.

NEW RULES REGARDING PRIVILEGE PASSES ON RAILWAYS.

212. **Mr. N. M. Joshi:** (a) Is it a fact that according to the new rules regarding the privilege passes over Railways, as stated in the Railway Board's letter No. 2740-T.A., dated the 21st September 1935, to Agents of State-managed Railways, second class passes will be given only to those employees who are in receipt of pay of Rs. 126 and above per mensem?

(b) Is it a fact that according to the old rules in force on the Great Indian Peninsula Railway (i.e., 1919 to 1935), second class passes were allowed to employees in receipt of pay of Rs. 100 and above?

(c) If so, is it not a fact that the class of employees who are in receipt of an amount between Rs. 100 and Rs. 126 per mensem are adversely affected by the new rules?

(d) Is it not a fact that, when the pass rules of 1919 were introduced and intermediate class prescribed for employees getting between Rs. 50 and Rs. 100, the interests of the employees who were already getting second class passes were safeguarded, even in spite of their being in receipt of pay between Rs. 50 and Rs. 100?

(e) Is it not a fact that when the new "State Railway Leave Rules" were introduced in the year 1929, they were not enforced in the case of the staff enjoying the old Company Rules or those enjoying "Fundamental Rules", and that those who were serving under the Company Management were given an option to continue under the old rules or to adopt the new rules?

(f) Is it not a fact that when the new scales of pay were introduced, the old employees were not affected by them, as they were allowed to receive the pay, rates of increments and promotions as per old cadre?

(g) If the answers to parts (d), (e) and (f) be in the affirmative, is it not a fact that the railway administration had accepted the principle that whenever any new change was introduced the existing rights and privileges of the old employees would not be deprived of or curtailed?

(h) If so, is it not a fact that the absence of any safeguard in the new pass rules regarding the existing privileges and rights of the employees is a violation of this principle?

(i) If so, are Government prepared to make the necessary changes in the new pass rules; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Second class passes were admissible to subordinates in receipt of salaries of over Rs. 100 per mensem.

(c) and (d). Yes.

(e) The new State Railway Leave Rules which were issued with the Government of India, Railway Department, Resolution No. 8373-E., dated the 20th February, 1930, a copy of which is in the Library of the House, are applicable to railway servants, with the exceptions specified therein, who were appointed on or after 1st April, 1930, and to those appointed prior to that date on the understanding that when the revised leave rules for State Railway employees were introduced they would be brought under them.

(f) The new scales of pay are not applicable to persons who were in Government service on 15th July, 1931.

(g) No. The question as to whether any change in matters affecting the staff generally should apply to all employees or otherwise is considered separately in each case as it arises.

(h) and (i). Do not arise.

RULES REGARDING GRANT OF PASSES AND PRIVILEGE TICKET ORDERS TO GREAT INDIAN PENINSULA RAILWAY EMPLOYEES.

213. **Mr. N. M. Joshi:** (a) Is it not a fact that the rules regarding the grant of passes and P. T. O. concessions to Great Indian Peninsula Railway employees are intended for the benefit of the employees as well as their dependents?

(b) Is it not a fact that, according to the existing rules, the mother of the employee, if a widow, is also entitled to this concession?

(c) Does the divorced mother get the same concessions as the widowed mother under the present rules?

(d) If the answer to part (c) be in the negative, do Government propose to make necessary changes in the rules, so as to entitle the divorced mother of the employee to get the P. T. O. concessions? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I have called for information and will lay a reply on the table in due course.

INCONVENIENCES OF RAILWAY STAFF AT KIRKEE.

214. **Mr. N. M. Joshi:** (a) Is it not a fact that Kirkee is a Cantonment station, and are Government aware that there is a scarcity of residential quarters suitable to the subordinate staff of the Great Indian Peninsula Railway?

(b) Is it not also a fact that articles of food and other necessities of life are more costly in Kirkee than in other places nearby?

(c) If the answers to parts (a) and (b) be in the affirmative, is it not a fact that the staff working at Kirkee are required to stay in places like Bhamburda or Poona where the cost of living is comparatively cheap?

(d) Is it not a fact that in places, such as Bombay, Calcutta and Madras, where the cost of living is higher than the surrounding parts, residential free passes are issued to the railway employees?

(e) Are Government prepared to extend the same concessions to the railway employees working at Kirkee by issuing free passes to them? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I have called for information and will lay a reply on the table in due course.

ISSUE OF PROVISION PASSES TO THE COMMERCIAL STAFF AT GULBURGA.

215. **Mr. N. M. Joshi:** (a) Is it not a fact that the Transportation staff, working at Gulburga, is provided with Provision Passes between Gulburga and Sholapur on the Great Indian Peninsula Railway?

(b) Is it not a fact that both the Commercial and Transportation staff at Hotgi, etc., are provided with the same passes to the nearest marketing station?

(c) Is it not a fact that the same privilege has been denied to the Commercial staff working at Gulburga, whose nearest marketing place is Sholapur?

(d) Do Government propose to issue Provision Passes to the Commercial staff at Gulburga? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I have called for information and will lay a reply on the table in due course.

**PAY OF NEW ENTRANTS OF THE POSTS AND TELEGRAPHS DEPARTMENT
IN BOMBAY.**

216. Mr. N. M. Joshi: (a) Are Government aware of the Resolution No. 150/33, dated the 2nd May, 1935, passed by the Bombay Government?

(b) Is it a fact that the new entrants under the Bombay Government were allowed to retain the pay that they were drawing prior to their transfer to the new scales of pay?

(c) Is it a fact that the same procedure was not adopted in the case of the new entrants of the Posts and the Telegraphs Department?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state whether they intend to apply the method adopted by the Bombay Government to the new entrants of the Posts and Telegraphs Department? If not, why not?

The Honourable Sir Frank Noyce: (a) The Honourable Member presumably refers to the Bombay Government resolution of the 2nd May, 1934, and not 1935; if so, the reply is in the affirmative.

(b) and (c). Yes.

(d) No. The procedure adopted by the Indian Posts and Telegraphs Department was in accordance with the rules framed by the Government of India regarding new entrants to the public services under the Central Government.

**INCLUSION OF THE TIME SPENT IN RECORD OFFICE IN THE DUTY HOURS OF
THE RAILWAY MAIL SERVICE SORTERS.**

217. Mr. N. M. Joshi: Will Government be pleased to state:

(a) whether it is a fact that the sorters working in the Railway Mail Service Sections are required to attend the Record Office during their rest days for getting their work-papers checked, for preparing the work-papers of the next trip, and for attending to the Circulars and the Orders issued from time to time by the Director General, the Postmaster General and the Divisional Superintendent;

(b) the average time spent in the Record Office on these days; and

(c) whether this time is included in the duty hours of the sections; if not, whether Government are prepared to consider the advisability of including this time in the duty hours; if not, why not?

The Honourable Sir Frank Noyce: (a) The facts are substantially as stated by the Honourable Member.

(b) The time spent by sorters in the Record Offices depends upon the importance of the section and varies between one and four hours.

(c) The Honourable Member's attention is invited to the reply to parts (d), (e) and (f) of Mr. B. N. Misra's starred question No. 884 on the 13th September, 1933.

**INCLUSION OF THE TIME SPENT AT TERMINAL STATIONS IN THE DUTY HOURS
OF THE RAILWAY MAIL SERVICE SORTERS.**

218. Mr. N. M. Joshi: Will Government be pleased to state:

- (a) what time on an average is spent by the sorters working in the Railway Mail Service Sections at terminal stations, specially at Presidency Towns, such as Bombay, Calcutta, etc., after finishing their outward trips and what time is spent by them at the Headquarters Station after completing the inward journey;
- (b) whether the time so spent is considerably far more than that spent at places other than the Presidency Towns; and
- (c) whether this time is included in the duty hours of the Railway Mail Service Sections; if not, whether they propose to include it; if not, why not?

The Honourable Sir Frank Noyce: (a) The Honourable Member presumably refers to the time spent by the Railway Mail Service Sorters at railway stations at which the beats of sections terminate either on the 'Out' or on the 'In' trips. If so, the period varies from 15 to 45 minutes, at important stations, according to the volume of mails delivered to the post or mail offices or to other running sections.

(b) This is generally the case as the volume of mails to be delivered is larger at Presidency-towns.

(c) The reply to the first part is in the negative. As regards the latter part, the Honourable Member's attention is invited to the replies given to parts (c), (e) and (f) of Mr. B. N. Misra's starred question No. 884 on the 13th September, 1933.

**ALLOWING OF THE USE OF COTS BY INFERIOR SERVANTS OF THE RAILWAY
MAIL SERVICE.**

219. Mr. N. M. Joshi: Will Government be pleased to state:

- (a) whether it is a fact that the inferior servants in the Railway Mail Service are not allowed to use the cots supplied in the rest houses;
- (b) whether any orders have been issued in the matter by Government or the Director General;
- (c) whether it is a fact that the rules laid down in the Manuals of the Department permit only a limited bedding to be taken on duty; and
- (d) whether they are prepared to consider the necessity of allowing the use of cots by the inferior servants?

The Honourable Sir Frank Noyce: (a) Cots are not generally supplied to Railway Mail Service Rest Houses for the use of inferior servants.

(b) No.

(c) Yes.

(d) Government will ask the Director-General to consider the suggestion.

SUPPLY OF WARM CLOTHING TO THE INFERIOR SERVANTS IN THE RAILWAY MAIL SERVICE.

220. Mr. N. M. Joshi: Will Government be pleased to state:

- (a) the standard laid down for the supply of warm clothing to the inferior servants in the Railway Mail Service;
- (b) whether it is a fact that warm clothing has not still been supplied to the inferior servants of the Railway Mail Service, 'J' Division, attached to the Sub-Record Office, Ahmedabad,
- (c) whether it is a fact that it has been supplied to the inferior servants of the Railway Mail Service 'W' Division stationed at Ahmedabad;
- (d) if the reply to part (c) be in the affirmative, the reasons for making a distinction between the inferior servants of the Bombay and the Central Circles; and
- (e) whether it is a fact that the matter was represented to the Postmaster General, Central Circle, by the Union a year back; if so, why the supply is still being delayed?

The Honourable Sir Frank Noyce: (a) The warm clothing supplied to the inferior servants in the Railway Mail Service consists of a woollen jersey which is supplied to the staff employed in stations where climatic conditions justify it.

(b) to (c). Government have no information. The matter is within the competence of the Head of the Central Circle to whom a copy of the question is being forwarded for suitable action.

FEE CHARGED FOR APPLICATION FORMS FOR PASSES AND PRIVILEGE TICKET ORDERS ON THE EAST INDIAN RAILWAY.

221. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the East Indian Railway Administration has recently decided to charge a fee of annas eight for every Free Pass Application Form and annas three for each Privilege Ticket Order Form? If so, will Government please state:

- (i) whether this measure is actuated by grounds of economy;
- (ii) whether all other means of effecting economy have been explored;
- (iii) whether the bulk of the applications for Free Passes and Privilege Ticket Orders are from the non-gazetted staff;
- (iv) whether the gazetted officers are exempted from the payment of these fees;
- (v) whether the families of gazetted officers are permitted to travel on the Metal Passes issued to the gazetted officers;
- (vi) whether the gazetted officers are entitled to travel in the first class carriages, and
- (vii) whether these fees are charged by the other State-managed Railways?

(b) Is it the policy of Government, in so far as the East Indian Railway is concerned, to inflict all restrictions and retrenchments on the non-gazetted staff? If not, do Government propose to withdraw these fees? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part of (a) is in the negative. The second part of (a) and (b) do not, therefore, arise.

PERSONAL PAY GRANTED TO THE STAFF ON THE EAST INDIAN RAILWAY.

222. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether Personal Pay has been granted to certain gazetted and non-gazetted staff on the East Indian Railway? If so, has the Personal Pay been withdrawn from any of the non-gazetted staff as a measure of economy?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the Personal Pay has also been withdrawn from gazetted officers? If not, will Government please state why such discriminatory treatment is meted out to the non-gazetted staff on the East Indian Railway?

(c) Do Government propose to issue instructions for the restoration of the Personal Pay to those non-gazetted employees from whom it has been withdrawn and for the immediate stoppage of discriminatory treatment to one class of their employees? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) If the Honourable Member will specify the period for which he seeks information, I will consider if the information can be given.

(b) Government have no information and have no reasons to believe that there is any discrimination in the grant of personal pay as between gazetted and non-gazetted staff. Each case is considered on its merits.

(c) Government do not propose to take any action.

OFFICERS OF THE EAST INDIAN RAILWAY PROVIDED WITH BUNGALOW PEONS.

223. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether the gazetted officers of the East Indian Railway at the head offices at Calcutta and on the divisions are provided with peons who are described as Bungalow Peons?

(b) Is it a fact that these peons are in practice the domestic servants of these gazetted officers?

(c) Is it also a fact that the Job Analysis staff have not explored this avenue to effect economy?

(d) Do Government propose to have this avenue of economy scrutinized? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed as follows:

(a) The Divisional Superintendents and certain other officers in the head offices at Calcutta and in the divisions who are liable to be called out for duty on the line at any time or who are required to deal with or send out urgent messages outside the normal office hours are given bungalow peons.

(b) No.

(c) The job analysis of bungalow peons attached to officers posted in the head offices has already taken place, but as the job analysis of divisional offices has not yet been made the work of the bungalow peons attached to divisional officers has not yet been analysed.

(d) Yes.

GARAGES PROVIDED TO CERTAIN OFFICERS OF THE EAST INDIAN RAILWAY.

224. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether garages are provided at the head offices at Calcutta and on the divisions of the East Indian Railway for the garaging of the motor cars of the gazetted officers?

(b) If the answer to part (a) be in the affirmative, will Government please state whether rent is charged for the use of the garages? If so, is a fixed sum charged for each motor car?

(c) If the answer to part (b) be in the negative, do Government propose to consider the question of exploring this avenue to increase the revenues? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. Enquiries are being made from the Agent, East Indian Railway.

MOTOR ALLOWANCE GRANTED TO CERTAIN OFFICERS OF THE EAST INDIAN RAILWAY.

225. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether motor car allowances are granted to the gazetted officers of the East Indian Railway attached to the head offices at Calcutta and on the divisions? If so, what posts carry this allowance?

(b) Is the same amount paid as allowance to all the recipients? If not, what are the different scales?

(c) Is it a fact that, as a measure of economy, the non-gazetted staff who hitherto were granted hackney carriage rates, are now given tram or bus fares?

(d) Do Government propose to explore this avenue of effecting economy by withdrawing the motor car allowance and paying hackney carriage rates when the gazetted officers actually use such conveyances when on duty? If not, will Government please state the reasons for this differential treatment to one class of their employees?

The Honourable Sir Muhammad Zafrullah Khan: (a) I lay a statement on the table of the House giving the required information.

(b) No, the amount varies with the actual mileage performed by each officer on duty.

(c) Yes.

(d) No, because the officers actually use their motor cars, a practice which results in a considerable saving of time, apart from the fact that the scale of allowance prescribed by Government is economical.

*List of officers on the East Indian Railway who are in receipt of a motor-car allowance.**Medical Department.*

| | Rs. |
|---|-----|
| District Medical Officer, Dhanbad | 75 |
| District Medical Officer, Asansol | 75 |
| District Medical Officer, Moradabad | 100 |
| District Medical Officer, Allahabad | 50 |
| District Medical Officer, Lillooah | 75 |
| District Medical Officer, Dinapore | 50 |
| District Medical Officer, Gaya | 50 |
| District Medical Officer, Jamalpur | 50 |
| District Medical Officer, Lucknow | 100 |

Transportation Department.

| | |
|---|----|
| Sub-Divisional Superintendent, Dhanbad | 50 |
| Assistant Superintendent, Transportation, Allahabad | 50 |
| Assistant Superintendent, Transportation, Calcutta | 75 |

Stores Department.

| | |
|--|----|
| District Controller of Stores, Lucknow | 50 |
|--|----|

Colliery Department.

| | |
|--|-----|
| Colliery Superintendent, Giridih | 75 |
| Colliery Manager | 50 |
| Mechanical Engineer, Giridih | 75 |
| Colliery Manager | 100 |
| Assistant Electrical Engineer, Giridih | 50 |

HOUSE ALLOWANCE GRANTED TO CERTAIN OFFICERS OF THE EAST INDIAN RAILWAY.

226. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether house allowance is granted to the gazetted officers attached to the head offices of the East Indian Railway at Calcutta?

(b) If the answer to part (a) be in the affirmative, what is the amount paid to the different classes of gazetted officers?

(c) Do Government propose to accommodate some of these gazetted officers in the spacious mansions built by the East Indian Railway for its gazetted officers at Howrah? Will this cause a saving in expenditure?

(d) How many flats in the mansions at Howrah are vacant?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) According to the scales laid down by Government.

(c) It is presumed the building known as Colvin Court is referred to. If so, officers already occupy the quarters referred to.

(d) None.

AMALGAMATION OF THE ESTABLISHMENT SECTIONS OF THE CHIEF OPERATING SUPERINTENDENT AND THE CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY.

227. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Establishment sections of the Chief Operating Superintendent and the

Chief Commercial Manager of the East Indian Railway have been combined and placed under the control of a senior scale gazetted officer assisted by a lower gazetted service officer and clerical staff?

(b) Is it a fact that this arrangement has been found satisfactory?

(c) If the answers to parts (a) and (b) be in the affirmative, are Government prepared to consider the advisability of creating an Establishment section in the office of the Agent to deal with establishment matters of all the departments attached to the head offices at Calcutta? If not, why not?

(d) Has such a recommendation been made by the Job Analysis staff? If not, what useful purpose do they serve?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Yes.

(c) Government have been informed that it has already been decided to create a central establishment branch as early as possible.

(d) No.

CONTRACT FOR LICENSED COOLIES AT SEALDAH.

228. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Station Superintendent, Sealdah Station, on the Eastern Bengal Railway, has been given the contract for the licensed coolies at that station?

(b) If the answer to part (a) be in the affirmative, will Government please state:

- (i) the number of licensed coolies at that station;
- (ii) the number of mates and supervisors in charge of the coolies;
- (iii) whether these coolies are required to do all the work of the Railway, such as loading of parcels, etc.; and
- (iv) whether any subsidy is paid by the Railway to the contractor: if so, what amount per mensem?

(c) Is it not a fact that considerable time is required for the supervision of the coolies, their mates and supervisors by the contractor?

(d) Is the Station Superintendent a whole time subordinate and is he in receipt of rent-free quarters?

(e) Do Government propose to discontinue this practice of having a whole-time employee and contractor combined and of giving the licensed cooly work to a person who is not employed by the Railway either in a gazetted or non-gazetted capacity? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b), (i). 480.

(ii) Fifteen mates and three supervisors.

(iii) No.

(iv) Rs. 105 per mensem is paid to the contractor for handling booked luggage and parcels.

(c) No.

(d) Yes.

(e) I understand the Administration have the matter under consideration.

RULES REGULATING DISCIPLINE AND RIGHTS OF APPEAL OF NON-GAZETTED STAFF ON STATE-MANAGED RAILWAYS.

229. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that in the rules regulating discipline and rights of appeal of non-gazetted railway servants on State-managed Railways, framed by the Railway Board in June, 1935, provision has been made under rule 2 for the imposition of penalties?

(b) Is it also a fact that no provision has been made that before an order of censure is passed against a railway servant, he shall be informed of the definite offences of failures on account of which it is proposed to impose the censure, and his explanation be obtained and considered?

(c) If the answers to parts (a) and (b) be in the affirmative, are Government prepared to consider the advisability of including "Censure" in rule 12? If so, are Government prepared to advise the Agents of State-managed Railways and instruct them to publish the same in their Gazettes, as was done in the case of the rules? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Yes.

(c) Government do not consider it practicable to adopt the suggestion. I may, however, add for the information of the Honourable Member that a railway servant possesses the right of appeal against an order of censure.

PRINTING OF PRIVATE MATTERS IN THE EAST INDIAN RAILWAY PRESS.

230. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state whether the printing of matters unconnected with the requirements of the East Indian and the Eastern Bengal Railways is done at the East Indian Railway Press? If so, who secures such orders and who fixes the rates?

(b) If the answer to part (a) be in the negative, will Government please state:

(i) whether *the Railway Accounts and Finance*, the quarterly journal of the Institute of Railway Accountants and Auditors (1927), is printed in the said Press;

(ii) the number of copies printed for each issue and the amount charged;

(iii) whether the rate charged is the same as that charged by other presses; if not, whether it is higher or lower;

(iv) who decides on the rates that are to be charged;

(v) whether the Printing Superintendent secured this order by way of a tender; if not, who secured the same;

(vi) whether the Printing Superintendent is a Principal Officer; if not, under whom he is attached;

- (vii) whether any systematic check is made by the inspecting staff of the Accounts Department on the Press; and
- (viii) whether any check is exercised by the Chief Accounts Officer; if so, what the nature of the check is?
- (c) Is it a fact that the Assistant Secretary to the Agent, D. Carmody, is a Member of the Council of the said Institute? If so, is he also a Railway Accountant or a Railway Auditor?
- (d) Is it further a fact that the printing of the said journal at the East Indian Railway Press was arranged by the Assistant Secretary to the Agent? If so, what disciplinary action do Government propose to take for the misuse of powers? If none, why not?
- (e) Are Government aware that the Railway Press has of late been used for the printing of private matters, such as the journal referred to in part (b), a Report on the working of an English Railway by T. J. Ryan, a subordinate at that time; a Monograph on the General Classification of Goods and Associated Topics by C. A. Crawford; etc.? If so, do Government propose to take severe disciplinary action against the offending officials who are causing a leakage of revenue of Government? If not, why not?
- The Honourable Sir Muhammad Zafrullah Khan:** (a) The practice has been that printing required by outside bodies connected with state railways such as institutes may be executed by the East Indian Railway Press at the prescribed rates subject to the sanction of the Agent. The question of whether or not this practice should be continued is being looked into.
- (b), (i) Yes—*see* paragraph (a) above.
- (ii) 250 copies are printed at the rate of Rs. 2 per page.
- (iii) No information is available regarding the rate charged for such printing by other firms.
- (iv) Rates are fixed by the Printing Superintendent with reference to cost.
- (v) No. The Secretary of the Institute himself applied to the Railway.
- (vi) No. The Printing Superintendent works under the immediate control of the Agent.
- (vii) and (viii). A Press Accountant and a clerk who are both under the control of the Chief Accounts Officer check the accounts of the Press.
- (c) Yes. Mr. Carmody was formerly a member of the Railway Audit and Accounts Department.
- (d) No.
- (e) Government is aware that the journal referred to in part (b) and the report and monograph referred to by the Honourable Member were printed at the East Indian Railway Press. The answer to the second part of the question is in the negative. The cost of printing of the journal referred to in part (b) was recovered and the printing of the report and monograph was ordered by competent authority in the interests of the service. In all technical branches of Government selected papers and reports prepared by Government servants and dealing with subjects connected with their official duties are printed and circulated at Government's expense. Government attaches considerable value to such publications and desires that their preparation by Government servants should be encouraged.

INTRODUCTION OF THE DIVISIONAL SYSTEM OF OPERATION ON THE EAST INDIAN RAILWAY.

231. Mr. Amarendra Nath Chattopadhyaya: Will Government please state:

- (i) when the divisional system of operation was introduced on the East Indian Railway;
- (ii) whether it was introduced as an experimental or a permanent measure;
- (iii) whether this system is in operation on the other State-managed Railways; if so, on what Railways;
- (iv) whether it is more costly than the district system of operation;
- (v) whether the total number of gazetted officers are greater under the divisional system or under the district system; and
- (vi) whether they have had this system closely watched since its inception?

The Honourable Sir Muhammad Zafrullah Khan: (i) From February, 1925.

(ii) As a permanent measure.

(iii), (iv) and (v). I would invite the Honourable Member's attention to the Honourable Mr. J. C. B. Drake's replies to the Honourable Mr. Jagdish Chandra Bannerjee's question No. 9 asked in the Council of State on the 20th September, 1932, and to the Honourable Rai Bahadur Lala Ram Saran Das's question No. 103 asked on the 23rd September, 1932.

(vi) Yes.

DISTRICT AND DIVISIONAL SYSTEMS OF OPERATIONS ON THE EAST INDIAN RAILWAY.

232. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that under the district system of operation on the East Indian Railway the different sections such as, the Commercial, the Locomotive, the Transportation, the Engineering, etc., were under district officers with experience in the work of those branches;
- (ii) that the district officers were under the Principal Officers of the different branches who were qualified in the work of those particular branches;
- (iii) that under the divisional system only part of the work of the Commercial, Locomotive, Transportation, Engineering, etc., is under the Divisional Superintendent;
- (iv) that the remainder of the work is under the Chief Commercial Manager, Chief Mechanical Engineer, Chief Operating Superintendent, Chief Engineer, etc.;
- (v) that the controlling authorities are not the Divisional Superintendents but the Principal Officers such as the Chief Operating Superintendent, Chief Engineer, etc.;

- (vi) that the Divisional Superintendents so far have been officials from the Transportation and Engineering branches; and
- (vii) that the officials actually working the divisions are the senior scale officers in charge of the respective branches with the exception of the branch to which the Divisional Superintendent belongs?
- (b) Will Government please state:
 - (i) whether promotions of non-gazetted staff in receipt of a certain pay and over are made by the Principal Officers; and
 - (ii) whether the punishment of such staff is vested with the Principal Officers?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i). Yes, but there were no separate District Officers of the Commercial Branch.

(ii) The District Officers worked directly under the orders of their respective heads of departments.

(iii), (iv) and (v). All the work of the Commercial Power, Transportation and Engineering Departments relating to a division is under the Divisional Superintendent subject to general supervision and control by the respective heads of departments and the Agent.

(vi) Members of all the service departments, *viz.*, Engineering, Transportation, Traffic and Commercial and Transportation Power and Mechanical Engineering Departments have from time to time worked as Divisional Superintendents.

(vii) No. The Divisional Superintendent is responsible for the work of all the branches under him.

(b), (i). Yes.

(ii) Yes, subject to delegations made by the Agent.

DISTRICT AND DIVISIONAL SYSTEMS ON COMPANY-MANAGED RAILWAYS.

233. Mr. Amarendra Nath Chattopadhyaya: Will Government please state on which Company-managed Railways the divisional and the district systems are in operation?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to Mr. A. A. L. Parsons reply to Dr. K. G. Lohokare's question No. 38 asked in this House on the 23rd August, 1926.

UNIFORMITY IN THE SYSTEM OF OPERATION ON ALL STATE-MANAGED RAILWAYS.

234. Mr. Amarendra Nath Chattopadhyaya: Is it the policy of Government in the Railway Department to have a uniform system of operation on all State-managed Railways? If so, what action have Government taken to bring this about? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part is in the negative. The latter part does not arise.

REVERSION TO THE DISTRICT SYSTEM OF OPERATION ON STATE-MANAGED RAILWAYS.

235. Mr. Amarendra Nath Chattopadhyaya: Are Government prepared to consider the desirability of reverting to the district system of operation on State-managed Railways? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: No, because it will not be advantageous to do so.

CREATION OF A TEMPORARY BRANCH FOR JOB ANALYSIS OF WORK ON THE EAST INDIAN RAILWAY.

236. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that on the East Indian Railway a temporary branch has been created under the Agent, described as the Deputy Agent, Organisation, for the job analysis of the work on that railway?

(b) Is it further a fact that this section is manned by junior scale officers and junior non-gazetted staff under the orders of the Deputy Agent, Organisation?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state:

(i) whether the staff temporarily employed under the Deputy Agent, Organisation, is drawn from the staff of the other departments;

(ii) whether on completion of this work they will be returned to their former posts;

(iii) whether this temporary section has made, in the faithful discharge of its duties, proposals for the abolition of any posts held by employees of the gazetted service as being superfluous or that the work could be amalgamated with other posts, if so, what gazetted posts were recommended for abolition and which of them have been abolished;

(iv) whether the policy of this temporary section is to recommend drastic retrenchments amongst the non-gazetted staff only; and

(v) whether it is incumbent on the Divisional Superintendents and Heads of Departments to accept *in toto* the recommendations of this temporary section?

(d) Has this avenue of securing economy, the abolition of the temporary section, been explored by the Agent? If so, with what results? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes..

(b) One senior scale officer, two junior scale officers, and certain non-gazetted staff are working under the Deputy Agent, Organization.

(c), (i). Yes.

(ii) They will be returned to their respective departments.

(iii) The post of Assistant Superintendent, Way and Works (Colony), Asansol, was recommended for abolition by the Deputy Agent, Organization, and has been held in **abeyance**.

(iv) and (v). No.

(d) The job analysis section has been the means of saving large sums to the railway and has completely justified its creation.

RECOVERIES FROM THE PAY OF NON-GAZETTED STAFF OF STATE RAILWAYS FOR OVER-PAYMENTS.

237. Mr. Amarendra Nath Chattopadhyaya: (a) Is it the policy of Government in the Railway Department to penalise the non-gazetted staff on State-managed Railways by recoveries from their pay of moneys alleged to have been paid by mistake?

(b) Is it a fact that both the Eastern Bengal and the East Indian Railways have made recoveries from the pay of non-gazetted staff of sums of money amounting to hundreds and in many cases of a few thousands of rupees on the ground that certain allowances or house rent have been overpaid?

(c) If the answer to part (b) be in the affirmative, will Government please state:

- (i) whether any disciplinary action is taken against the staff in the office responsible for such mistakes;
- (ii) whether any disciplinary action is taken against the gazetted officers in charge of those offices;
- (iii) whether there are cases where over-payments have been made in the cases of the gazetted staff;
- (iv) whether in such cases recoveries are made from their pay or the amounts excess paid are written off; and
- (v) whether Government propose to issue instructions to stop such recoveries?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Honourable Member's attention is invited to Rule 77 (b) of Railway Account Code, Volume I, which lays down that when erroneous payments have been passed through oversight in the Accounts Office, payments made less than 12 months ago, should be recovered, and the orders of the competent authority obtained with regard to previous over-payments. These are generally written off. No distinction between gazetted officers and subordinate staff is made in this respect.

(b) I am unable to give a reply unless specific cases are quoted.

(c) Does not arise.

ALTERATION IN AGE OF EMPLOYEES ON THE EAST INDIAN RAILWAY.

238. Mr. Amarendra Nath Chattopadhyaya: (a) With reference to the reply given in the Council of State to question No. 155 on the 26th April, 1934, that the production of a baptism certificate will, on the North

Western Railway, automatically cause a change in the recorded age to be made, will Government please state:

- (i) whether it is incumbent on the East Indian Railway Administration to accept and to alter the age in accordance with that shown in a baptism certificate; and
- (ii) whether the production of an Entrance, Matriculation or University certificate entitles the holder to an immediate alteration in the recorded age?

(b) Is it the policy of Government in the Railway Department to have, as far as possible, a uniform system on State-managed Railways? If so, do Government propose to issue necessary instructions to the Agent of the East Indian Railway to accept baptism certificates and Matriculation, Entrance or other University certificates in support of applications for alteration of ages? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) It was not stated in reply to question No. 155 that the production of a baptism certificate will automatically cause a change in the recorded age of an employee. On the other hand it was stated that no specific evidence had been prescribed but that it must be such as will satisfy the sanctioning authority. I may add for the Honourable Member's information that each case is dealt with on its merits according to the rules in force and the production of a baptism or a university certificate only cannot in each case be considered as sufficient proof for the alteration of the recorded age.

(b) The reply to the first part of the question is in the affirmative. As regards the latter part the Agents of State-managed Railways have already been made aware of the policy of Government in this matter and no further action is necessary.

ATTACHMENT OF INSPECTION CARRIAGES OF THE LOWER GAZETTED OFFICERS TO GOODS TRAINS.

239. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Chief Operating Superintendent of the East Indian Railway has recently issued instructions that the inspection carriages of the lower gazetted officers are to be attached to goods trains only?

(b) Is it further a fact that junior and senior scale officers are permitted to attach their inspection carriages to passenger and express passenger trains?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state the reasons for this discriminatory treatment to one section of its gazetted officers?

(d) Are Government aware that discriminatory treatment of staff leads to a lowering of their efficiency and creates great discontent?

(e) Do Government propose to issue instructions to treat the senior scale, the junior scale and the lower gazetted officers alike in the matter of attaching their inspection carriages to trains? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Instructions have been issued to the effect that officers' carriages which are reserved for junior scale and lower gazetted officers are to be attached to goods trains only.

(c) and (c). Such discrimination as there is, is necessary in the public interest. Junior scale and lower gazetted officers work as assistants to senior scale officers and it should ordinarily be sufficient for the efficient discharge of their duties for them to travel by goods trains. Their travelling in train service carriages by passenger trains also ensures greater attention being given to the condition of the compartments.

(d) Yes, if there is no justification for it.

**GAZETTED OFFICERS EMPLOYED IN THE WAY AND WORKS SECTION OF THE
HOWRAH DIVISION, EAST INDIAN RAILWAY.**

240. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state whether the following gazetted staff are employed in the Way and Works section of the Howrah Division on the East Indian Railway:

Senior Superintendent,
Superintendent, Lower,
Superintendent, Upper,
Assistant Superintendent, No. 1.
Assistant Superintendent, No. 2
Assistant Superintendent, Burdwan.
Assistant Superintendent, Rampore Haut.
Assistant Superintendent, Sahebgunge?

(b) If the answer to part (a) be in the affirmative, will Government please state:

- (i) whether the Deputy Agent, Organisation, has job analysed this section of the divisional office; if so, with what results; if not, why not;
- (ii) whether the Deputy Agent, Organisation, is substantively employed as an Engineer;
- (iii) whether the number of gazetted staff in this particular section of the division is excessive or not; and
- (iv) whether they propose to take action in this matter with a view to effecting economy in its working expenses?

The Honourable Sir Muhammad Zafrullah Khan: (a) So far as Government is aware this is so.

(b), (i), (iii) and (iv). Government have no information. These are matters of detailed administration entirely within the competence of the Agent, East Indian Railway, to decide, and Government do not consider it necessary to interfere. I am, however, sending a copy of the question to the Agent for information and such action as he may consider necessary.

(b) (ii). The post of Deputy Agent, Organization, is temporary and is at present filled by an officer of the Mechanical Engineering Department.

SELECTION OF STAFF FOR PROMOTIONS ON THE EAST INDIAN RAILWAY.

241. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that no rules or procedure are observed on the Howrah Division of the East Indian

Railway by the Selection Boards for selecting staff for promotions? If not, will Government please state:

- (i) whether one Selection Board was convened for the filling up of posts of Head Goods Clerks and Assistant Goods Clerks at Howrah Goods Sheds;
 - (ii) whether separate Selection Boards should have been convened; and
 - (iii) whether men who were not normally entitled to promotion to these posts were summoned before the Selection Board?
- (b) Is it further a fact that for the post of Weigh Clerk at Howrah Goods Shed (a non-selection post) a Selection Board was convened? If so, will Government please state:
- (i) whether the Superintendents, Commercial and Staff, sat on the Selection Board;
 - (ii) whether twenty men were originally selected to appear before this Board; and
 - (iii) whether the Assistant Goods Supervisor, Shalimar, who is in a supervisory post, was permitted to appear for the post of a Weigh Clerk?
- (c) Do Government propose to take action so that the rules prescribed by Government are observed by the gazetted officers attached to the Howrah Division and remove the cause of the discontent amongst the staff? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(i) Yes, in December, 1934.

(ii) No.

(iii) As the Howrah goods sheds were being re-organised it was necessary that the best available staff should appear before the board for examination of their respective merits, and as such in addition to the existing senior staff under the old organisation, other suitable candidates with the necessary commercial experience were also interviewed.

(b) Yes. The recruitment rules do not prohibit the appointment of selection boards for the purpose of examining the relative merits of candidates for promotion to non-selection posts where such a course is considered desirable.

(i) Yes.

(ii) Yes. twenty men were originally called to appear before the selection board and subsequently this number was increased to thirty.

(iii) The assistant goods supervisor, Shalimar, was one of the men permitted to appear.

(c) Government do not consider any action is necessary as they have no reasons to believe that the rules are not being observed.

GAZETTED OFFICERS IN CHARGE OF ESTABLISHMENT MATTERS ON THE EAST INDIAN RAILWAY.

242. **Mr. Amarendra Nath Chattopadhyaya:** (a) With reference to the reply given in this House to unstarred question No. 8 on the 2nd September, 1935, that the Superintendents and Assistant Superintendents on the

East Indian Railway who deal with establishment matters are not required to pass any examinations relating to their duties and that no useful purpose will be served by holding such examinations, will Government please state what is the object in insisting on the passing of departmental examinations by the non-gazetted staff unconnected with the passing or working of trains?

(b) Why are gazetted officers in the other branches required to pass departmental examinations before being placed in responsible positions?

(c) What action do Government propose to take to ensure having efficient gazetted officers in charge of establishment matters?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). If the Honourable Member will specify the examinations to which he is referring I will endeavour to reply.

(c) Government have no reason to believe that officers in charge of establishment branches are not competent to discharge their duties satisfactorily and do not propose to take any action.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 6E.—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT—*contd.*

Grievances of Railway Workers—contd.

Mr. President (The Honourable Sir Abdur Rahim): The House will now resume discussion of the motions relating to Railway demands.

Mr. N. M. Joshi (Nominated Non-Official): Sir, when the discussion on the adjournment motion began, I was saying that it was somewhat unfair on the part of the Honourable Member in charge of the Railways to have mentioned the additional expenditure required for some labour legislation as well as for increasing the wages and salaries of some classes of railway employees. If the Honourable Member had mentioned this fact along with the fact that the railway authorities have also begun to save some money by introducing revised scales of pay with which my Honourable friend, Sir Henry Gidney, will deal later on, and if he had also mentioned that the railway authorities have saved money by retrenchment, I would have understood their fairness in mentioning this additional expenditure. Moreover, I call this action of the Honourable Member unfair, because, when he mentions the additional expenditure incurred for bettering the conditions of service of subordinate employees, he failed to mention the 40 or 50 lakhs of rupees which the Government of India are spending for what is popularly known as the *Lee loot*. May I ask him why he did not mention that fact while he mentioned the fact of spending 50 lakhs of rupees for labour legislation? Sir, the fact is that the Government of India are always ready to give whatever they can, and perhaps even more, to their higher officers while they always grudge spending money on their subordinate employees. I feel, Sir, that if the Government of India want to place their railways on principles of justice and fair-play they should change their angle of vision.

Sir, before I begin to deal with the grievances of railway employees, I should like to say that the Royal Commission on Indian Labour had made various recommendations for improving the conditions of life and service of railwaymen in India. The Railway Board and the Government of India in the Railway Department have done the least in giving effect to the recommendations of the Whitley Commission. Sir, it is now more than five years since the report of the Royal Commission was published and most of the important recommendations are still under the consideration of the Railway Board. I shall not deal with the details of these recommendations; I shall first speak of the conditions of the lowest paid railway employees. Sir, I have already mentioned in the beginning of my speech the failure of the Government of India to revise the scales of wages and salaries of the lowest paid railway employees as recommended by the Royal Commission on Labour. They failed to do that. Moreover, Sir, the Royal Commission recommended that the leave rules should be revised so that the concessions as regards leave given to the daily-rated men and the inferior servants should be extended. The leave rules have been revised, but, unfortunately, the daily-rated men and the inferior servants are placed at a disadvantage. Like the other employees of the railways they are not permitted to accumulate their leave. Then, Sir, the daily-rated men and the inferior servants are not given full leave or sick leave on full pay until they have put in three years' service. This condition is not imposed upon other employees of the railways. Then, when the inferior servants are promised some leave, according to the rules, the railways do not maintain a leave reserve for the inferior servants, with the result that although the leave is provided by the rules the inferior servants actually do not get leave. I would like the Honourable Member to collect statistics and get facts as to the extent to which the inferior servants are able to take advantage of the leave which is provided for under the rules. Then, Sir, the Royal Commission on Indian Labour, in the interests of the lowest paid employees of the Indian railways, suggested to the Government of India that it is wrong and unjust that the lowest paid employees of the Indian railways should be deprived of the privilege of the provident fund. Sir, if there is any class of railway employees which deserves to be helped in maintaining themselves in their retirement or old age, it is the lowest paid employees. Unfortunately, it is the lowest paid employee who is not given the benefit of the provident fund. The Royal Commission, therefore, recommended that for employees getting less than Rs. 20, it should be the option of the employee whether he will be a member of the provident fund or not. Unfortunately, the Government of India have not done this. The Government of India may say that now they have not got funds. May I ask them whether an age-long injustice, an injustice which has lasted for a hundred years should be continued on the ground that there is no money to redress the grievance?

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): The Indian railways have not been in existence for a hundred years.

Mr. N. M. Joshi: They have been in existence for perhaps 50 or 75 years, I do not know. That is not the material point; the material point is that the grievance is a very long one. Sir, the Royal Commission also made certain recommendations regarding gratuity. Gratuity is not paid for people who retire before they put in 15 years' service. The Royal

[Mr. N. M. Joshi.]

Commission recommended that this condition is a hard one, and, therefore, they suggested to the Government of India that they should do away with this restriction. It has not yet been done. Then, Sir, the lowest paid employees of the Indian railways have some grievances as regards the grant of free passes to travel on the Indian railways. The higher paid employees of the Railway Department get passes; I am told the number is restricted,—perhaps it may be 10 or 14, I do not know the exact number,—but they get a large number of passes to travel first class all over the Indian railways. But in the case of the lowest paid employees and the inferior servants, they are given passes on Indian railways on only those lines on which they are working. In some cases they do not get passes to travel even on the whole of the line on which they are working,—what is called the home line,—but they only get passes to go to their home station, that is, the station from which they can go to their native village. I feel this is an injustice. If the railway employees generally are given passes to travel over all the Indian railways, why should the inferior servants be denied that privilege? I am not suggesting that if the higher paid employees are given first class passes, the inferior servants should also be given first class, although in my opinion there is nothing wrong in it. I am not claiming that; but I certainly claim that as regards the number of passes, as regards the lines on which free passes should be given, there should be no discrimination made on the ground that some people are poor and low-paid. And if any discrimination is to be made, it must be made in favour of the inferior servants and not against them. Then, Sir, as regards the passes, there are other grievances. On the Great Indian Peninsula Railway, certain classes of employees are given passes to travel by intermediate class, but at the same time they are prevented from travelling on express and mail trains. Generally an intermediate class carriage is attached to express and mail trains only, with the result that although, according to rules, they are entitled to travel intermediate class, they are compelled to travel third class because there are very few trains with intermediate carriages attached. I would like the Honourable Member either to let these people travel second class or arrange for more intermediate carriages to be attached to all trains, so that the difficulty which the employees are feeling may be surmounted.

I would like to say a word or two about one or two other suggestions made by the Royal Commission on Indian Labour. The Royal Commission recommended that when a railway employee, after he is confirmed, is again made to undergo medical examination, he should have the right to suggest, if he so desires, the name of an independent authority for his examination. Now, this recommendation will not cost anything to Government, but Government are still considering for five years this small suggestion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. N. M. Joshi: I shall do my best

Mr. President (The Honourable Sir Abdur Rahim): A time limit has been fixed and should be adhered to.

Mr. N. M. Joshi: All right, Sir. The Royal Commission recommended that railway doctors should not be allowed private practice beyond the railway employees. Again, the Government of India are considering this suggestion. I do not know why they should take any long time to come to a decision on this point.

I would like to say a word about what is called contract labour and about which my Honourable friend, Mr. Giri, has spoken. The Government of India are trying to give work, in their own workshops and in railway stations, on contract, on the ground that such work, if given on contract, can be done cheaper. I am not suggesting—although I would be justified in suggesting—that the work which the Honourable Member in charge of Railways is doing or the work which the Chief Commissioner is doing may also be done by contract, but at the same time I would like the Government of India to undertake the responsibility of carrying on their own work in their own department, instead of giving it to contractors. The danger of giving such work to contractors is that labour is exploited. The contractors compete among themselves and take on works for sums for which they cannot execute them satisfactorily, with the result that labourers suffer. The Royal Commission on Indian Labour has made a suggestion to the effect that in every contract entered into there should be a fair wages clause. Indian railways have not yet given effect to that recommendation. I would like the Government of India to see that hereafter the fair wages clause is inserted in . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must now conclude his remarks.

Mr. N. M. Joshi: I hope the Government of India will give their attention to the suggestions I have made, and I hope, Sir, that the House will support me in the recommendations which I have made.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, it is with some considerable hesitation and reluctance that I rise to speak on certain grievances of railway subordinates, a hesitancy due to the reassured feeling of security that I have and that most railway employees have today in the new Commerce Member. We feel that, under his able guidance, all complaints which have been made will receive rectification at least as much as is possible, and we feel—indeed I also feel—that it may be unnecessary for me to repeat them; but I desire, in a spirit, not of hostility, but of friendliness, to point out certain grievances which do really exist, of which he may not be aware.

One of the changes which I am very glad to notice is that the Honourable Member himself now answers railway questions in this House and so relieves the Financial Commissioner of some of his duties which gives him more opportunities of devoting more attention to railway finance. Among the many grievances to which I should like to refer, the first one is about the revised scales of pay. Sir, in July, 1931, the Railway Board issued a notice—I have no doubt in consultation with the Government of India—that all new entrants in railways would be engaged on a temporary basis and subject to the revised scales of pay. Three and a half long years passed during which period recruits were taken into the service, and, after this period, Government thought fit to issue the revised scales of pay, which scales, if compared with the former scales of pay, and even if compared with the scales of pay before the War, would disclose

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the astounding fact that in many sections the scales have been reduced by over 50 per cent. In 1934 Government issued these revised scales, and recruits of three years' service were told that their salaries would have to be reverted and they would be given the new scales of pay. A few days after this, the Railway Board issued a circular to the effect that those who were recruited between 1931 and 1934 and who were not informed at the time of appointment of the revised scales of pay would be given the old scales of pay. About four months after this, the Government of India in the Railway Department issued another circular cancelling this and stating that they would all have to accept the new scales of pay. Strange to relate that this last cancelling order synchronised with the year in which the five per cent. railway servants' cut was restored, and to my mind there is no doubt that this alteration of the second order of the Railway Board was to show to the House that there was a fall in railway expenditure and in this way they were able to balance the restored five per cent. cut. Now, it is hardly to be expected that the new entrants, who entered from 1931 to 1934, if they had known then that their pay would be 50 per cent. less than what they were originally drawing, would have agreed to join the railways. I know that this severe reduction has not been done to an equal extent in the case of officers' salaries. To add to this, one has to realise that the railway subordinate, besides being given much less pay—sometimes half of his original pay—has been deprived of many amenities and privileges. His education grant has been reduced, his passes have been reduced, he has been deprived of house-rent in many cases, reduction in overtime, and the lessening of the many facilities which he enjoyed before. This has made his condition so bad as to merit the word "appalling". In the case of superior officers, the advantages that they once enjoyed have been very slightly reduced. Moreover, a superior officer would have, even on his initial salary, enough money on which he and his family can live; but, I ask you, how can a subordinate in the Loco. Department, getting Rs. 10, 12 and 15, and in the Traffic Department starting on Rs. 30 which, in nine years, rises up to a maximum of Rs. 65, be expected to live on his initial salary? And yet, Sir, the Railway Board had before them at the time the memoranda which were supplied by various bodies to the Labour Commission showing the minimum cost of living for Indians and other communities. I submitted a statement to the Labour Commission in which I showed, beyond any doubt, the absolute minimum cost of living for an Anglo-Indian lad. This was calculated as follows: A cup of tea and bread in the morning which costs him two to four annas, a plate of curry and rice for breakfast which costs him eight annas, a cup of tea and bread in the afternoon which costs him two to four annas, and a plate of curry and rice for dinner which costs him eight annas. This comes to Rs. 1-8-0 a day. I ask, how does the Railway Board expect that lad, who starts on Rs. 10, 12 and 15 a month as a cleaner in the Loco. Department—and let me add the Railways demand a matriculate for the post—and on Rs. 30 a month in the Traffic Department to live on that pittance of a salary?

The Honourable Sir Muhammad Zafrullah Khan: What is the minimum salary that the Honourable Member would propose?

Lieut.-Colonel Sir Henry Gidney: I would propose an initial salary of Rs. 30 a month for all such jobs.

The Honourable Sir Muhammad Zafrullah Khan: How could he spend Rs. 1-8-0 a day on food alone out of Rs. 30 a month?

Lieut.-Colonel Sir Henry Gidney: If the Honourable Member will allow me, I shall tell him. Let me tell him, I know of a certain railway that is keeping some of these servants on allowances from their Sports Fund. It is all very well for the railways and this House to say that they must reduce the salaries of staffs. Do you realise that a time will come when industries will improve and other departmental salaries will be increased, and, unless you raise these railway salaries, you will create such a state of revolution that you will be faced with an upheaval? It will come—mark my words—soon.

Another point is this. Why should the Railway Board expect a candidate for the Loco. Department to have passed the matriculation examination and start him on Rs. 10, 12 and 15 a month saying that he is learning his work, and yet, a candidate for the Traffic Department, who has passed the same examination, is started on Rs. 30 per mensem? Why should there be this difference? My submission is that the Honourable Member should give his consideration to the initial salary of all such appointments being fixed at a minimum of Rs. 30 a month. It will certainly be a much better initial salary than Rs. 10 to 15 per mensem. It is ridiculous to expect a man in the Anglo-Indian community to join the Loco. Department on this pauper's wage and expect from him compulsory enlistment in the Auxiliary Force. How can a man living on Rs. 10 or Rs. 15 a month be expected to be an effective member of the Auxiliary Force? I am now only talking about the Anglo-Indian community, but this grievance is one common to all communities.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): But has not the Act been amended?

Lieut.-Colonel Sir Henry Gidney: It has not been to this extent.

Sir Cowasji Jehangir: What is the amendment in the House of Lords about?

Lieut.-Colonel Sir Henry Gidney: I am sorry I cannot discuss that just now. When the Railwaymen's Federation met the Chief Commissioner of Railways recently, Mr. Giri suggested an increase of pay. The Railway Board had the temerity, knowing these facts, to ask Mr. Giri to prove that the present scales of pay were not adequate. I cannot conceive of any Railway Board thinking that the scales of pay they are giving today to the Loco. Department are adequate. I know you can get an illiterate man for Rs. 10; but you demand a matriculate, and I say you must give the Loco. men an initial salary of Rs. 30, the same as is given to the Traffic. It is no use saying that the cost of living has gone down, because, ever since 1931, the amenities of life have increased. One is told that the policy of Government is to raise the general standard of living; but what are you doing here? You are not raising, but considerably reducing the standard of living to an appalling condition, and you are also trafficking on the present day poverty and unemployment, and because you are getting thousands of such people, you decline to raise the wage. I say you are going against the very policy that you have laid down. I do feel sure that the Honourable Member will give this matter his most serious consideration.

[Sir Henry Gidney.]

The next point I desire to touch on is the promotion of the subordinate staff. In this House, many Members have demanded the publication of the rules regarding training and promotion of subordinate staff, and that has been ignored. All I want to ask again is that the Railway Board should publish the rules relating to the training and promotion of subordinate staff. What is the present system regulating such matters? Officials, some of them—I do not say all—at their own will and pleasure declare a job to be a selection job, and the flood gates are opened to the exercise of nepotism. When questions are asked in this House as to why this should be so, evasive replies are given. A subordinate has every right to know under what rules he gets promoted and the avenues of promotion to the higher scales and the Railway Board's procedure. The most unsatisfactory aspect of this matter is this: when a senior subordinate is passed over by a junior for any particular job, he is then told for the first time in his service that his work has been unsatisfactory for years. He protests; he is told to shut up; he protests again; he is warned; he protests again; he is a marked man and his future career is ruined. This is not drawing a darker picture than is really the case. The Railway Board knows that such incidents occur every day in the railways. If the work of a subordinate is bad, why is he not warned according to the rules? But nothing is done till the time comes for promotion to a permanent vacancy: the very man may have been acting in that vacancy for years when it was of a temporary character when the vacancy becomes permanent and he is suddenly told that he is unfit and a junior man is brought in—a favourite of the appointing official. I can assure the Honourable Member that this practice is causing a considerable amount of dissatisfaction among the subordinate staff, and it must be stopped.

Then, there are other forms of promotion that are done. In various railways, promotions are done divisionally and demotions are done departmentally. In the G. I. P. Railway, for instance, when a promotion has to be made, the promotion is made in the cadre of the division; when a demotion is made, it is made in the whole departmental cadre. I will give you the man's name—Vincent working in the Nagpur Division. I give it, because it is a glaring case showing this unjust system. Here is a man who was an excellent electrician with an excellent record of service. Vacancies took place as chargemen in two other Divisions; he, though senior, was not selected, because he was not in those Divisions: junior men were made chargemen. Then, later on, there was demotion from the chargemen's grade, and the chargeman who was demoted was placed at the top of the electrician grade, and Mr. Vincent, who happened (as the result of this unfair system and though senior) to be at the bottom of the electrician cadre, was reduced to a lower grade. I appeal to the Honourable Member that this is really a serious grievance, and I think he will be the first to realise it and see that, if promotion is made, divisional demotion should be made the same. But I submit with all respect, that this practice is not right, it is not practised with officials, and that promotion and demotion should be done departmentally, not divisionally. The same thing happens in promoting passenger guards to mail guards in certain railways.

The next point is recruitment to the upper subordinates. Recently we have had the experience of various railways. I mention two, the North Western and the Eastern Bengal . . .

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member has only one minute more.

Lieut.-Colonel Sir Henry Gidney: . . . advertised in the public press certain vacancies for men of ten years' experience to fill up appointments as foremen and assistant foremen in the workshops. This is wholly wrong. There are hundreds of worthy subordinates waiting to fill these appointments and, yet, outsiders are being brought in. What is the effect? Ambition is killed; the work of these men deteriorates naturally; but what is worse, it opens the flood gates for nepotism; in addition, these outsiders who are brought in on higher salaries and are placed senior to others with longer service are, in a short time, taken into the lower gazetted service which is essentially meant for subordinates, not outsiders. I say this should be stopped . . .

Mr. President (The Honourable Sir Abdur Rahim). The Honourable Member's time is up

Lieut.-Colonel Sir Henry Gidney: One minute, Sir. Another point. the appeal rules should be remedied and brought on to the same level as appeals in all other departments of Government. The Honourable the Home Member said yesterday that appeals lay to the Public Service Commission, but I say these cases cannot be brought up to the Public Service Commission, because that Commission only deals with gazetted officers. I submit the time has come, nay it is long past (and the House knows it, for we have frequently defeated Government on this demand), when we should have a standing inquiry committee for railways. The railways should also see that the recommendations of the Labour Commission on labour unions are respected and not flouted. The welfare and staff committees which are better termed as "farewell committees" are of no use to railwaymen. It is time that the Railway Board, full as it is of old Members in their last years of service, took on younger and more energetic men and reorganised its system of working, especially in regard to the grievances of its subordinate staff.

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Sir, I have great pleasure in supporting the motion . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will remember that the debate on this motion will close at 12-45. Also the Honourable Member in charge has got to reply.

Mr. D. K. Lahiri Chaudhury: I will be as brief as possible. On the last occasion, I took up the cause of railway crewmen. I spoke on the motion which was so ably moved by my friend, Mr. Joshi, last year, and I now support the motion moved by Mr. Giri. I want to add this. It has been said that some improvement had been effected in the scales of these railway crewmen. The existing scale of pay of these men is Rs. 36 rising by increments of Rs. 4 to Rs. 60. If they accept the revised scales, it will be Rs. 30, increment of Rs. 4 ending at Rs. 50. That means that they will get only Rs. 9 increment in the pay. But there is one thing which ought to be seriously considered. I am glad, Sir, that the Government have taken up the matter after I raised the question of the scales of pay of railway crewmen, but I do not think that the revised scale

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of pay, as suggested by the Railway Board, will really improve the condition of these crewmen. Though they will get an annual increment of Rs. 5 or a little more, yet, in the long run, they will lose, in that they will lose the benefit of gratuity and provident fund. It must be remembered that, in their present scale of pay, they will get the benefit of gratuity and provident fund on Rs. 60, but if they accept the revised scale of pay, they will get the benefit only on Rs. 50. Similarly, in the case of the crew-in-charge, they will get the benefit of provident fund and gratuities on a salary of Rs. 105, and not on Rs. 120, which is the present scale. Now, Sir, the Honourable the Commerce Member, in presenting his budget, stated clearly that the shortage of traffic was due to a large number of passengers travelling without tickets, and I think he will add to the efficiency of these crewmen if he improves their scales of pay and prospects, and their efficiency can be promoted only if they are well paid, in which case they will take more trouble to constantly check the tickets of the travelling public.

Then, Sir, there is another matter to which I wish to draw the attention of the Honourable the Commerce Member, and it is this. When the Railway Board have decided that the allowances of these crewmen should be included in their pay, they should consider and take steps to see that, under no circumstances, their gratuity and provident fund are decreased or minimised.

These are, Sir, only a few of the grievances of these poor people that I am able to ventilate here within the short space of time at my disposal. I would certainly have mentioned some more of these grievances had I the time to do so. I, therefore, would appeal to the Honourable the Commerce Member to look into the matters I have mentioned and take prompt steps to improve the position and prospects of these workers, because their efficiency, their honesty and their sincerity will help the Railway Administration to get more traffic and more revenue. With these few words, Sir, I support the motion of my friend.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): Sir, it is impossible to speak with restraint on this subject, because the injustice from which the railway workers, especially the low paid railway workers suffer, is very great. As the time is very short, I shall merely detail some of their grievances without advancing any arguments.

The first point to which I should like to draw the attention of the Honourable Member in charge of the Railway Department is this. The Royal Commission on Labour has very definitely laid down that all possible attempts should be made to recognise Unions. I take the liberty to state in this House, Sir, that the Railway Administrations have made it a point to refuse recognition, and to look upon labour as if they were their enemies, forgetting the essential fact that, after all, these thousands of low paid workers, pointsmen and others, are the very people who largely help in bringing to the railways whatever profits they earn, and not the highly paid hierarchy at the top. Not only this, Sir, but those who work among these Unions are penalised by transfers and other methods which are very peculiar with the Railway Administration.

Sir, it was pointed out that the deficit in the railway budget was due to the fact that certain labour legislation, as a result of the Washington Convention, has been adopted. I wish to state that that attempt has not gone very far. In the first place, the eight hours convention has been embodied, but the application given to this is so disastrous that in certain cases it has resulted in great injustice. They have divided the services into intermittent and non-intermittent. The classification itself is wrong, and its application is still worse. The road side station staff is classed as intermittent services. They have to be at the post of duty all the time, and so far as they are concerned, this eight hours convention does not apply to them at all.

Then come the porters. I will give one example of what happened at Vikroli, near Bombay. Originally, there were six porters, but as a result of retrenchment three porters were removed, with the result that when the train was about to come to the platform the leverman on duty had to run and attend to the porter's duty, and in his attempt to do this the poor fellow was run over by the train. Had there been the full complement of porters, this disaster could have been avoided, but the poor man is dead, his family is thrown on the scrap heap and nobody worried anymore about it. Had such an accident occurred to any of the highly paid officials, there would have been a hue and cry

Then, Sir, the retrenchment policy has worked havoc so far as the Great Indian Peninsula Railway is concerned. There are stations where yard supervisors have been retrenched, and their duties have been allotted to certain number-takers, and they have been asked to work for 12 hours. When they complain, they are told to die in work. That is the spirit that is actuating the high officials.

I will give another example, Sir, where the eight hour convention was insisted on the telephone clerks at Khandwa. The reply was to die in work. That is the way how this labour legislation, which is supposed to be responsible for the deficit in the railway budget, has been acted upon and operated in the Great Indian Peninsula Railway.

Then, in the Parel Workshop, compulsory leave has been introduced. Now, this workshop admittedly can do much work, in which case it can not only retain the labour that is already there but it can even increase the present number of workers if, as has been suggested, the contract system is done away with. Much of the work that this workshop turns out,—it can actually turn out much more work than it actually turns out today,—goes to private firms. If the entire work is carried out in the Parel Workshop itself, not only those who are already working there will be retained, but additional staff can as well be employed.

Then, Sir, as a result of retrenchment, thousands of men are out of employment. The number of strikers and those who are suffering as a result of retrenchment is nearly 4,000 so far as the Great Indian Peninsula Railway is concerned. They keep a waiting list for everything. Already there are four waiting lists. These men have waited for well nigh six years, and probably they will have to wait till the day of judgment. That is how the whole administration is conducted.

[Mr. N. V. Gudgil.]

Then, Sir, coming to the question of the revised scales of pay, they have so operated against the low paid staff that the highly paid staff is practically untouched. Whenever there is a question of retrenchment, it is the low paid staff that is retrenched; it does not affect the highly paid staff at all.

The leave rules, rules relating to passes or matters that concern the welfare of the low paid workers in the railways do not receive proper consideration at the hands of the authorities. As there is not sufficient time for me to go into details, I can only say that if there is a deficit, and if as a result of that deficit certain amenities are to be refused to railway workers, that is little credit to those who sit on the Treasury Benches. If the Railways have suffered a deficit on account of loss of transport in wheat and other commodities, it is traceable to the fact that there has been the Ottawa Agreement, and there has been no planned economy or a correct policy. The whole policy is that of grab, and if one department has earned, the other two departments suffer; the result is the poor workers suffer. For these reasons, Sir, I still hope that this policy of retrenchment will be abandoned so far as the low paid railway workers are concerned, and the Government will be a model employer and will at least carry out the recommendations made by the Royal Commission.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I shall endeavour to give very brief replies as there are so many points to be dealt with within the time allowed to me.

The first point raised by Mr. Giri relates to the failure of the Railway Department to set up the joint standing machinery for the resolving of disputes recommended by the Royal Commission on Labour. Here, Sir, there is not only the question of cost that has to be considered in setting up this machinery, but a good many complicated questions of principle have to be decided before a decision can be reached as to whether this machinery can or cannot be set up. Therefore, at this stage, I am afraid, I cannot give any indication to Mr. Giri as to what the result is likely to be. I should not wish to say anything with regard to any matter which might raise hopes that might be discovered subsequently not to have been well founded.

With regard to re-employment of retrenched staff, Mr. Giri complained that a certain number of them have not yet been re-employed, and that the excuse given by the Agents has been that they are not suited for the jobs for which now recruitment has taken place. I am quite sure that, if these people had been suited for the kind of work for which fresh recruitment has been made, there could have been no reason whatsoever why the railways should not have re-employed people who had already been in service and who are now out of employment. Mr. Giri went on to say, if they are not suited for that kind of work, why don't you take them and train them. That, I am afraid, does not solve the difficulty. Those that were suitable have to a large extent already been re-employed. When retrenchment took place, advantage was taken, as Honourable Members are aware, of the retrenchment to get rid of inefficient staff. New recruitment includes a certain proportion of literate staff, and it may be difficult sometimes to re-employ illiterate staff or to take on unsuitable or inefficient staff, in the hope that by further training they might turn out to be efficient. Therefore, it is not only the consideration that they have been previously

in railway service which governs the situation, though a very large number of retrenched staff have already been re-employed and I have no doubt others will be re-employed if they are found suitable for the vacancies that might occur and they are willing to accept employment in accordance with the orders in force on the subject.

Then, my Honourable friend said that when the Supervisor of Railway Labour, whose business it is to see that the conventions that have been accepted and the rules that have been issued are actually enforced, goes out on tour he does not get in touch with such of the railway unions as have been recognised by the different administrations. As to that, the position is that decisions with regard to a very large number of matters that are put forward by these unions have to be taken by the Agent and not by the Supervisor of Railway Labour. And the difficulty is that, if the Supervisor of Railway Labour were to hold conferences at various headquarters with the officials of railway unions, he could not possibly come to any decision with regard to these matters, because he has not the authority to come to decisions, nor could he express any opinion thereon, but if the suggestion is that he should give the officers of these unions, if they so desire, the opportunity of discussing matters with him in the sense that they should be able to place before him matters that they want looked into, up to that extent, I am prepared to look into the suggestion, and unless I am faced with some difficulty which may prove to be insuperable, it might be possible to arrange, that when the Supervisor of Railway Labour goes out on tour to the headquarters of a recognised railway union, the officers of that union, if they so desire, might have an opportunity of placing matters before him. As I have explained, however, he cannot come to any decision, nor can he give any replies with regard to suggestions put forward before him, as decisions must rest with the railway administrations concerned.

With regard to punishments and appeals, all sorts of matters of detail have been raised by Honourable Members, to which, obviously, I cannot give any categorical reply, but I do wish to stress this consideration, that, whereas I am prepared to consider any cases of real hardship that might be disclosed by the examination of these questions, Honourable Members must remember that it has repeatedly been urged from the Opposite Benches that the railways are a commercial concern. Now, being a commercial concern run by the State, I am prepared to accept the position that security of tenure and security against unjust infliction of punishment should be greater on the railways than in any private commercial concern. Nevertheless, Honourable Members must recognise that, if a department of this kind has got to be run on commercial lines, certain powers of punishment have to be exercised by certain grades of officers with regard to this kind of staff, and it could not be undertaken that in each case where punishment is inflicted, some very high authority should look into the matter and come to a final decision with regard to the matter. As it is, the working of these rules is causing a great deal of obstruction in the sense that it is almost impossible under the present rules to get rid of a really inefficient or insubordinate workman, and Agents have complained, time after time, that they are so hedged round by restrictions with regard to these matters that the workmen are practically immune from any kind of serious punishment and being in the enjoyment of that security, inefficiency is on the increase. I am sure Honourable Members will agree that, if there is some foundation for that contention of the Agents, that also has to be borne in mind when dealing with these matters.

[Sir Muhammad Zafrullah Khan.]

My Honourable friend, Mr. Joshi, referred to several recommendations of the Royal Commission on Labour, but before I deal with that aspect of the matter, may I take up his contention that I was not fair in mentioning in my budget speech that the enforcement of the Geneva and Washington Conventions and labour legislation recently enacted is costing the railways half a crore of rupees annually. With regard to all those factors that I mentioned in my speech my position was not, as I have tried to explain on subsequent occasions, that these things should be scrapped or that these things are undesirable in themselves. Every one of the factors, that I referred to, competition from motor transport, labour legislation, the development of internal trade and means of production may be eminently desirable in itself and if the financial position had permitted, with regard to labour legislation matters might have been carried further than they have been carried. But when one is examining the question, one has got to point out all the factors in operation, however satisfactory those factors may be in themselves. I have not made the slightest suggestion that these things should not have been done. I have said that in a period of prosperity these would have been a small matter, and as a matter of fact, further progress might have been made, but, I am afraid, in the present circumstances, the pace with regard to these matters has got to be slowed down while we are in this period of financial distress, and I do not think, I was unfair when I mentioned this factor as one of the factors operating in that direction. He said that if I had mentioned the revised scales of pay and the retrenchment that has recently taken place. I might have been fair in mentioning also this question of labour legislation. As a matter of fact, I did mention revised scales of pay—specifically revised scales of pay, and by implication retrenchment also inasmuch as I said that the working expenses had been reduced by six crores during recent years and a great part of it is accounted for by retrenchment. The Honourable Member further said, why did you not refer to the concessions granted by the Lee Commission? Those concessions were granted a long time ago and they were in operation when the period of adversity began. Everybody would admit that if they had not been granted, there would be so much less expense today. But does the Honourable Member put the two factors on the same plane? One has been in operation from a time before the period of depression, and the other has been in operation principally during the period of depression, and they cannot be put in the same category, so that mention of the one should have been accompanied by a mention of the other.

Mr. M. S. Aney (Berar Representative): It came into operation after the separation of the railway finances.

The Honourable Sir Muhammad Zafrullah Khan: With regard to the Royal Commission on Labour, it was said that some of their recommendations have not been put into operation, and that others have not been put into operation as quickly as might have been desired and as might have been possible if the period of prosperity had continued. The Royal Commission on Labour reported in 1931 and that was just the beginning of our troubles. Year after year, the position of our finances with accumulated deficits became worse and it has not been possible to put in force many of the recommendations of the Royal Commission on Labour, the

enforcing of which would necessarily cost a great deal of money. For instance, Mr. Joshi raised the question of admitting lower classes of employees to the benefits of the provident fund. I agree that it is extremely desirable that an employee who is paid a low salary should have something to fall back upon after he retires from service. The question has been examined by the Railway Board, in consultation with the Agents of the principal railways. Estimates have been prepared, and it has been found that, if this recommendation were given effect to, it would add not less than Rs. 50 lakhs a year to railway expenditure. Whether, in the present circumstances, it is feasible to grant this particular benefit along with several others, which have already been mentioned and which Members consider should be granted, I leave the House to judge. Apart altogether from the desirability of these things, one must take into account the amount of funds available for these purposes.

Another matter that he mentioned was the question of passes. He took up two matters. He said that there ought to be a larger number of passes for the lower paid categories of staff and he also made the suggestion that as a good many fast trains do not carry intermediate class carriages, they should be given second class passes. Now, with regard to passes, there has recently been some restriction with regard to all classes of railway employees. Up to 1933, officers were entitled to an unlimited number of passes. Whenever they applied for passes, they were entitled to have them, whether they travelled themselves or wanted passes for members of their families. Then the Board considered that this ought to be drastically curtailed and they restricted it to 12 passes. There was a great deal of dissatisfaction at that. Eventually the decision was to grant 24 single journey passes in all in a year. If an officer goes home and comes back, that would mean two passes. 24 passes of that description were allowed to officers that is to say, for 12 complete journeys and much slighter reductions were made in the case of the subordinate staff.

An Honourable Member: What about saloons?

The Honourable Sir Muhammad Zafrullah Khan: Saloons can be used only when they travel on duty. The suggestion that second class passes should be given instead of intermediate class passes is one that is entirely unacceptable. In fact my personal view is that there are already a very large number of people who are entitled under the rules to second class passes who I consider should not be given second class passes. If that is the position, there is still less justification for granting second class passes to those who under the rules are only entitled to intermediate class passes.

Mr. N. M. Joshi: On a point of explanation,

The Honourable Sir Muhammad Zafrullah Khan: I am afraid, I cannot give way. I have heard the Honourable Member. I am sure, he explained his suggestions clearly when he put them forward. I understand that a man drawing Rs. 126 and above is entitled to a second class pass under the present rules. In no Government department would a man drawing anywhere near Rs. 125 get travelling allowance when he travels on official duty at second class rates. That being so, I am entirely unable to

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accept the suggestion made by Mr. Joshi. Perhaps the explanation that he wanted to give was that in some cases fast trains are not available to persons holding intermediate class passes. I am afraid that cannot be helped.

Then, with regard to the question of private practice by Railway doctors, I understand that the Chief Medical Officers of the different Railways are not allowed any private practice at all. The suggestion is that the Divisional Medical Officers should be restricted in their private practice to railway employees themselves and their families. That is a suggestion which I shall certainly look into. I think there is a good deal in it. I cannot here and now announce a decision, because after all it is a suggestion which has been put forward from one point of view and there might be difficulties on the other side but I shall certainly look into the suggestion.

I am afraid, I am not able to look with sympathy upon the suggestion that the railways should not get certain classes of work done by contractors. In certain cases it might be cheaper to have certain classes of work done on contract. This is a very large question, but whether or not it is possible to eliminate contractors altogether the suggestion does indicate that where a contractor himself employs labour under free and unrestricted conditions, the wages that he is able to offer and the conditions of work imposed by him are not regarded by the Honourable Member as favourably as the conditions of work and wages offered by the railways. I said in my budget speech that the condition of labour employed by the railways was certainly better on the average with regard to all these matters than the condition of labour employed by private factories and firms, and that, therefore, for the moment there might be a halt in further legislation with regard to these matters. I do not think that that could be construed as an unfair or unreasonable position.

With regard to revised scales of pay, both Mr. Giri and Sir Henry Gidney made the complaint that the pay of officers had been cut down to a far less extent than the pay of subordinates. I am afraid that proposition is not correct. I am not guaranteeing that with regard to each category the reverse is true but generally the reverse is true. The revised scales of pay show a reduction of approximately 20 per cent. in the pay of the gazetted ranks and of approximately ten per cent. in the case of non-gazetted staff, but the inferior staff have been scarcely touched at all and that is as it should be. I quite agree in principle that where a reduction of that kind has to come it should fall far less heavily on the lower paid staff than on the more highly paid staff.

As regards the granting of concessions like passes, etc., I might also draw attention to a suggestion put forward by Mr. Satyamurti that all such concessions should be withdrawn. That is not practicable but I should certainly say there should be no further extension of these concessions.

Then, Sir Henry Gidney was very indignant over the fact that in the loco. workshops people of his community were paid and were expected to live on Rs. 10 or 12 or Rs. 14 a month. I understand that ordinarily this refers only to Indian boys who are living with their parents and who are taken into the loco. workshops as cleaners for purposes of training at an early age. They start as cleaners on this low pay. I understand that

a few years ago, at the instance of somebody who was interested in the welfare of the Anglo-Indian Community, the proposal was put forward that some Anglo-Indian lads who were doing nothing should be taken on in these workshops and given training, with a view to getting something higher later on. As a result of that suggestion, some Anglo-Indian lads were taken on in the engine sheds on the East Indian Railway as a matter of concession and given something to do as they were entirely at a loose end and I do not think it is fair on the part of Sir Henry Gidney to turn round and say that the railways are exploiting members of his community in that connection. Then he went on to say that the minimum cost of food of a member of his community living by himself was Rs 45 a month. That being so, even the Rs 30 suggested by him really would be no fair wage at all. Apart from that, I am afraid that, as a general principle, I am not willing to accept the proposition that the pay of members of any particular community should be regulated by reference to what they choose to regard as their standard of living. I would not at this stage be justified in saying anything further on this matter. These matters must, on the whole, apart from exceptions, be regulated by the question of supply and demand. I might also remind the House that Government have accepted the principle that there should be no racial discrimination in these matters. (Hear, hear.)

Then, Sir, Mr. Lahiri Chaudhury raised a contention with regard to the crewmen. I am afraid he is not in his seat just now. I am informed that in comparing the old scales of pay with the new scales he entirely overlooked the factor that under the old scales of pay there was no allowance in addition to pay; under the new scales of pay there is a fairly substantial allowance in addition. There is one further matter to which I may refer before I resume my seat. Mr. Gadgil, among other suggestions, referred to the question of the recognition of railway unions and he said that in several instances railway unions had not been recognized when they should have been recognized and that the Railways had not encouraged their formation. Sir, railways have all the time encouraged the formation of unions where they have been satisfied that the object of the union would be to obtain facilities for their members, to bring grievances to the notice of the administration and, on the whole, to contribute towards the welfare of their men. On some occasions, unions have not been recognized, for the reason that the Agents have been satisfied, at least so they have explained, that the union was one of a kind of mushroom growth or because the object of those who were trying to form or run the union was not so much the welfare of the members of the union as the pursuit of certain personal ends. Surely discretion must be given to the Agents to come to a decision, with regard to these matters, upon information that they might have with regard to particular unions or with regard to the officers who are running those unions, but in every case where a union is not recognized and the application for recognition is rejected by the Agent, there is a right of appeal to the Railway Board and the Railway Board are prepared to look into such a case when it is brought to their notice. Very often an appeal may not be preferred—as the Agent's decision may be accepted but when one is preferred the Railway Board look into it to see that there has been no arbitrary rejection. I shall always be anxious, as I know my Honourable friend, the Member for Industries and Labour, also is, to encourage the formation of the kind of union that I have mentioned, but my experience is that all sorts of organizations ask for recognition and I am afraid some of them have been

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refused on perfectly valid grounds. The North Western Railway union, with a membership of forty thousand, is an instance of the desirable kind of union. I do not say that this union and the North Western Railway administration always see eye to eye for they represent different points of view, but there would be no hesitation in granting recognition to a union of that kind. In conclusion, Sir, I wish to say this. I am afraid with regard to a good many suggestions that have been put forward the difficulty of lack of funds does arise; that one cannot possibly get away from. Though I recognize the desirability of several of these suggestions being put into practice, I am afraid I could not hold out any hope that they would be put into practice within the next two or three years, that is to say, so long as the present financial position of the railways continues. I have indicated that I am prepared to look into some of them and I shall see what I can do with regard to them. (Loud Applause.).

Mr. President (The Honourable Sir Abdur Rahim): The question is:

“That the demand under the head ‘Working Expenses—Expenses of Traffic Department’ be reduced by Rs. 100.”

The motion was adopted.

Amalgamation of Railways.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural). Sir, I beg to move.

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100”

I wish, under this cut, to raise the question of amalgamation of railways. Sir, I think it my duty to acknowledge the vast amount of labour and study that the Honourable the Commerce Member has bestowed on the railway question as a whole. It is the first time, Sir, in this House, as we are bound to acknowledge, that we find the Honourable the Commerce Member so very sympathetic to all the suggestions put by the Opposition side and that he is prepared at least to consider all the suggestions so made from the Opposition side. Sir, I do not detract in any way from all that was done in the past by the predecessors of my Honourable friend but at least I am bound to say that the legacy which he has received from the old days is much to be regretted. Fortunately, Sir, nobody can deny that seven hundred and fifty crores of the Indian taxpayer's money is invested in this concern; and, at the same time, there is an interest charge amounting to 81 crores on this capital, which also the Honourable the Railway Member has admitted that the taxpayers have to pay hereafter.

The Honourable Sir Muhammad Zafrullah Khan: No, no, I never admitted that. If the meaning is that I said that the interest will eventually have to come out of the pockets of the taxpayer and that the Railways will not earn any portion of it, I never said that: but it is obvious that all the revenues which are necessary for the expenditure have to come out of the taxpayer's money somehow.

Mr. Muhammad Azhar Ali: I may refer the House to page 18 of the Railway Budget speech, where the Honourable Member said this:

"It must be realised that over 750 crores of the taxpayer's money have been invested in railways in India, and, in the last resort, it is the Indian taxpayer who must pay the interest charges amounting to over 31 crores on this capital."

The Honourable Sir Muhammad Zafrullah Khan: I am afraid you have missed the significance of the phrase "in the last resort".

Mr. Muhammad Azhar Ali: However, so far as the Indian taxpayer is concerned, there may be a time when he may have to be taxed to pay this interest.

The Honourable Sir Muhammad Zafrullah Khan: I hope not.

Mr. Muhammad Azhar Ali: I am glad he will not be taxed further. Now we know that there is a vast amount of capital sunk in these railways and, therefore, the greater the concern of the Indian taxpayer is in their railways the greater I suppose will be the responsibility of the Railway Department to manage this concern with the greatest possible economy. Sir, the gloomy picture in the concluding pages of his speech, which he has depicted with regard to the railway finances, is of course very heart-rending; and when he comes to the conclusion in the last paragraph of his speech, where he says:

"To sum up, the position, though causing anxiety and requiring ceaseless watchfulness, is not, by any means, desperate""

I would say, with regard to the gloomy picture that he depicted, that I beg to differ from him and I must say that it is now "very desperate".

The Honourable Sir Muhammad Zafrullah Khan: If it will satisfy the Honourable Member that I should change that, I am prepared to do it.

Mr. Muhammad Azhar Ali: I am glad that you have given the real picture, which I may say we were never made to see for many years past in this House. Then, he proceeds:

"Given a reasonable improvement in world conditions, regulation of motor transport on a fair competitive basis, a check on further concessions and privileges to Railway staff and legislation imposing effective check upon ticketless travel—there is a fair chance that the financial position of railways will gradually improve and that they will, within a reasonable period, achieve a sound financial position."

My contention is that the Honourable Member has been pitching his hopes very high. He says, "given a reasonable improvement in world conditions". God knows when these world conditions will improve. I am surprised that the Honourable Member is basing his calculations and his budget on such flimsy hopes. I am sure no commercial concern will ever build their finances on such flimsy hopes. We have to deal with hard facts and figures and not deal with hopes which, after all, may not materialize. It is very sad to reflect that the Honourable Member in charge of Railways is basing his estimates on such flimsy expectations.

An Honourable Member: The question before the House is the amalgamation of railways.

Mr. Muhammad Azhar Ali: I am dealing with that presently. The Honourable Member has laid down four conditions for the improvement of railway earnings. I would suggest two more conditions, namely, the amalgamation of railways and also the taking over of Company-managed railways by the State. We have had a full debate in this House on the acquisition of Company-managed railways by the State and so this is not the right time for me to reopen that subject again. Now, Sir, although it may be said that the acquisition of Company-managed railways by the State is a condition precedent to the amalgamation of railways, still I say that the question of amalgamation of railways may be taken up immediately in hand in order to improve the financial position and the economic condition of the railways. When I deal with this question of amalgamation of railways, our experience is confined to the amalgamation of two railways in India recently. Barring those two railways, we have had no other instance of amalgamation to draw our experience from. In 1925 a decision was made that the East Indian Railway and the Oudh and Rohilkund Railway should be amalgamated. What is the result? From a reference to page 15 of the Administration Report for 1925-26, we find about the East Indian Railway that the cost of the staff was 650 millions 73 thousands and 66. In 1925-26, it was 604 millions 92 thousands and 713. Thus there was a saving of about 45 lakhs, 80 thousands. With this glaring example before us of the efficacy of amalgamation of these two railways, namely, the East Indian Railway and the Oudh and Rohilkund Railway, we should see whether we could not achieve similar saving by adopting a similar policy of amalgamation.

We have three kinds of railways in India. In Class I, there are 14 railways, in Class II, there are 13 and in Class III there are 24, thus a total of 51. I exclude in my calculation all the sub-branches. Taking Class I railways, in this category are included the Burma Railways, the Hyderabad and the Baroda Railways. If we exclude these three railways, there remain 11 first class railways. The money spent on each of these 11 railways belonging to Class I every year amounts to about 65 lakhs only on the administrative offices. Thus it will be seen that by amalgamating these eleven railways a colossal amount can be saved. I have just now shown that by amalgamating only two railways, the East Indian and the Oudh and Rohilkund we got a saving of about 45 lakhs and if you multiply this saving so far as the 11 railways are concerned, we get about four crores. It is not my duty to give the exact amount that we can save by the amalgamation of railways. I can only throw out the suggestion that amalgamation will lead to a colossal saving on analogy of the two railways which we have already amalgamated. I, therefore, suggest, that you can amalgamate Class I and Class II railways or even with Class III railways, if you think it proper to include them and I am sure you can effect a very great saving.

Mr. P. R. Rau (Financial Commissioner, Railways): Is the Honourable Member aware that many of the Class II and Class III railways are not owned by Government and cannot be bought by Government.

Mr. Muhammad Azhar Ali: I am not an expert on railways. I do not pose to be an authority on railway matters, and, therefore, I cannot say which class should be amalgamated with which other class. But I am confident that by amalgamation of the various railways you can really

effect a good saving. We find many high paid officers in the various railways and by amalgamation, this duplication of highly paid officers could be avoided. You must cut down the number of officers and also the pay and also cut down the staff. I have got with me figures which relate to the various railways. The following is a list of the officers belonging to the Administrative staff together with their salary in Class I railways:

| | Rs. |
|--|-----------------------|
| One Agent | 3,500 per month. |
| Two Deputy Agents | 1,950 each per month. |
| One Chief Engineer | 3,000 a month. |
| Three Deputy Chief Engineers | 2,150 a month. |
| One Chief Mechanical Engineer | 2,600 a month. |
| Three Deputy Chief Mechanical Engineers | 2,150 each a month. |
| One Chief Electrical Engineer | 2,300 a month. |
| One Signal Engineer | 2,150 a month. |
| One Bridge Engineer | 1,950 a month. |
| One Superintendent, Watch and Ward | 2,500 a month. |
| One Chief Operating Superintendent | 3,000 a month. |
| Three Deputy Chief Operating Superintendents | 2,100 each a month. |

and so on.

The yearly cost of all this is about 65 lakhs. This is the cost in each railway. And as there are 11 first class railways, you can ^{1 P.M.} multiply 65 lakhs by 11 and then you will find what it comes to. Now by amalgamation you are sure to reduce it and you will effect some economy.

Mr. P. R. Rau: Sir, the total cost of the gazetted staff on all the railways is three crores, while 65 lakhs multiplied by 11 comes to seven crores. I do not know how my friend gets his figures.

Mr. Muhammad Azhar Ali: I only gave approximate figures: I never said they are absolutely accurate figures.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more to finish his speech.

Mr. Muhammad Azhar Ali: The Pope Committee also suggested amalgamation. Sir, the Railway Board do not give any statistics on this high-paid staff in their reports. So it is really very difficult for me to sort out from the figures what actually it will come to. But if my Honourable friend wants I can give him the full number of posts which I have got with me and then he can himself calculate what it will come to. Sir, I do not contend that amalgamation is the only way to economise. But what I say is that, along with the other suggestions which the Railway Member has made, amalgamation is the greatest thing. And in that I am supported by the English report of Modern Railway Administration, where they have said:

"The grouping arrangements of the Act overshadowed all other provisions of the measure in public discussion."

Again:

"The avowed intention of the grouping arrangements as disclosed in the Government White Paper was to secure economy in operation and to effect an approximate financial equilibrium within each of the four groups."

[Mr. Muhammad Azhar Ali.]

They had about 720 railways which they made into four groups. So I think we can also make these our railways into four groups or two groups.

Now, I will ask only one thing that, the railway administration should start a "railway tribunal" as was done in England. When we are copying several things from England why should we not have a tribunal of this kind set up simply for the sake of devising means for the amalgamation of railways?

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Mathuradas Vissanji (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I rise to support the cut motion. This is the Department of the Government which might be taken as a commercial one and it ought to be run on absolute commercial lines. For the last six years it has proved to be a heavily losing concern inasmuch as it has swallowed up Rs. 45.62 crores out of profits of Rs. 52.56 crores during the previous six years. The railway reserve fund has been wiped out of existence and the depreciation fund has a beggarly 13 odd crores as against over 47 crores which might reasonably be expected in that fund and the difference whereof is used up to make good the deficit in current working of the railways since 1929-30. This is indeed a gloomy picture for a concern and it is high time that the authorities in charge should very seriously consider every possible suggestions that would go to minimise the losses and explore every possible avenue to drag out the concern from its present dreadful position. It is all very well to say that we were the victims of the world-wide depression, which nobody denies. So every railway in the world was, but each tried in its own way to mitigate its influence and went a long way to counteract the force of depression.

During the debate on the first cut motion, various suggestions were made to bring about economies in the working of the railways. I am glad to say that the Honourable the Commerce Member was quite sympathetic and explanatory in his reply on that day. But that would not meet the situation. Some serious steps have got to be taken to balance the future budgets in a more practical way. The object of this motion goes a great way towards achieving this. I will put forward three main reasons for amalgamation. Without going into the details of the benefits that will be derived from the co-ordination of the rates and fares, which could only be possible if all the State lines are amalgamated, I would only say that both the passenger and goods traffic would be profitably facilitated. As for example, while one line gives both-way holiday concessions for *Dusserah*, another gives for *Diwali*, thus passengers travelling on both have to meet with loss and inconvenience. Co-ordination will prevent this and yet increase the traffic and thus result in better earnings. Similarly, goods traffic has different systems for telescoping rates, which, if simplified, and made uniform, would tend to increase traffic receipts, with the disappearance of uneconomic rates and will bring about the stimulation of consignments with advantage both to the public and the Railways..

Second group of the reasons for amalgamation lies in better economies in the internal working of the Railway system collectively. At present enormous difficulties must have to be tided over by lengthy correspondence and discussion on matters of vital importance regarding policy and vital changes affecting several railways inter-dependent upon others before any decisive action is taken. This also I believe would be greatly simplified. Furthermore, the standardisation of all equipment of railway carriages, wagons and engines will help a good deal to minimise the cost and the upkeep of the same. It will also help to avoid the waste through needless waiting of wagons at stations and disproportionate haulage of empty wagons. Subject to correction, I may say that there is a standing rule with every railway that a carriage or wagon of one railway once having reached its destination on another railway has to be returned either full or empty within a certain time laid out, otherwise the other railway has to bear its demurrage and *vice versa*. Sir, you can well imagine what an amount of simplification of working will be brought about by the amalgamation that is suggested. Not to speak of the economy in fuel that is likely to be brought about, there will also be a great saving in the Superior Staff that is at present managing the different Railways in different offices at various places. A certain amount of superfluity will disappear and a common Store Purchasing Department will eliminate a lot of extra cost and labour and bring about a saving in the quantities of stocks of extras and spares necessary for the upkeep of the Railways. There is also a possibility of its permitting better terminal facilities and such additional conveniences as Railway hotels for passengers at important stations which would add to the income.

Thirdly, amalgamation will facilitate co-ordination with completing transport agencies by permitting railways running their own motor services or river steamers and so tapping lines of traffic which are today not even touched. When the railways of other countries in the world have solved far more difficult problems of such type and combated a long way with a better organised road, river and air transport, I do not see why we should fail here.

Sir, I hope and trust that the reasons mentioned by me for amalgamation will have its due effect in the proper quarters and some tangible results will be brought out in the near future on this suggestion. Sir, I know that it is not quite easy for bringing about that scheme, but even if it is given full thought and be decided upon, the process of it will need some time before finality is reached. At least the country in that case will feel that the Government has seen the advisability of the change and are moving in the matter. With these words, I support the motion.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch, at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, my friend, the Commerce Member, will agree with me that smaller industries cannot fairly compete with bigger industries and combines. The bigger concerns are more efficient and economical.

[Dr. Ziauddin Ahmad.]

They can improve the efficiency by specialisation in every little work, and by reducing overhead charges they can ensure economy. This principle has now been universally recognised by railways in every country. My friend will recognise this principle of amalgamation and combines in the case of industries and, I hope, he will agree to this principle when he comes to railways which are now recognised to be commercial concerns. India, at present, has a population of 300 millions with a little less than two million square miles, and it has a length of 43,000 miles of railways. This length is very small because for a big country like ours the Mackay Committee recommended that we should have at least 1,00,000 miles of railways, which is absolutely necessary for the future development of this country. What I would like to emphasise is that in Germany the length of the railways is approximately the same as ours; yet they are all combined under one management without any agency. In modern times cheap and quick transit is necessary for economic development. We have no time to wrangle and we have no opportunities to waste our efforts and money in local jealousies which often rise between different railways. We had one practical experience of this in Bombay. The Bombay, Baroda and Central India Railway wanted a separate station of its own and we had to give them 'Central Station' instead of effecting a slight extension of the Great Indian Peninsula Railway at Victoria Terminus, which would have sufficed. . . .

The Honourable Sir Muhammad Zafrullah Khan: I should have thought there was no room for extension at Victoria Terminus.

Dr. Ziauddin Ahmad: I say on the authority of local persons that, with some slight extension, they could have taken long distance traffic there and kept the suburban lines as they were before. The second example is the railway bridge at Agra. The East Indian Railway had a bridge. The Great Indian Peninsula Railway wanted a bridge and the cost was paid by the taxpayers of this country. But at any rate, in these days, we have no money available for mutual jealousies or to pay for their competition.

Coming now to the origin of the railways, we find that in the beginning we had no money and the Government did not have experience of their administrations. Then Lord Dalhousie wrote his famous minute on the 20th April, 1853, by which he maintained that the companies should be started on commercial lines and they should be given concessions to run the Indian railways. This policy remained in force for a very long time, and this company administration worked very well under home boards, because the power was entrusted entirely in the hands of one person, the Agent, who always saw that these railways produced a good profit. He had to satisfy the shareholders by producing a good return and he had to satisfy the home board and see that no complaints were made. But later on the policy changed on account of the pressure of the people and for good reasons. . . .

Sir Leslie Hudson (Bombay: European): What people?

Dr. Ziauddin Ahmad: The Indian people. Later on, there was a great controversy whether the Indian Railways should be owned by the State or should be owned by the companies. There was a great debate going

on on this point and Sir Austen Chamberlain as Secretary of State gave his opinions in favour of State-owned and Company-managed railways. The whole of this controversy was referred to the Acworth Committee and they also were divided on this point. The majority was in favour of State administration and State owning. I will just read a few sentences from the majority and minority reports. The majority said:

"We recommend that the undertakings of the guaranteed companies, as and when the contracts fall in, be entrusted to the direct management of the State, and that when the contract with the East Indian Railway terminates in 1924 the Oudh and Rohilkand State Railway be absorbed into that undertaking."

But the minority report said:

"Government should not be committed to a policy of State-management only for all railways."

This controversy went on but gradually we accepted State-management, as expressed in convention of 1924, that as far as possible, the railways should be owned by the State and managed directly by the State. Then the Acworth Committee drew attention also to the absorption and amalgamation of various railways. They said (I am quoting from the Railway Administration Report itself):

"The aim of the Government should be to reduce by amalgamation the number of existing companies and that it should only be in cases where the State cannot or will not provide adequate funds that private enterprise in the direction should be encouraged."

They also said :

"The Branch Line Company is usually a fifth wheel to the coach. It implies in some cases a separate construction staff; it always implies a separate Board of Directors and separate accounts . . . Capital raised by a small private undertaking, even with a Government guarantee, will cost more than money raised by the State."

Inconceivable confusion results from the multiplication of independent Railway Companies—each company, small or great, desires to reserve for itself a separate sphere of influence; and jealously demands that, if any new-comer intrudes into that sphere, he shall pay toll to the original concessionaire."

These were the recommendations of the Acworth Committee and I understand that they were accepted by the Government as they find place in the administration report. May I ask, has any effort been made to amalgamate and acquire these companies? My friend, Mr. Rau, in reply to my friend, Mr. Azhar Ali, remarked that these smaller companies were owned not by the Government and could not be acquired by the Government. May I ask whether any attempt has been made by the Government to acquire them or purchase them by private negotiations?

Mr. P. R. Rau: I was talking of the number of class II and class III railways which are owned by Indian States and which there is no possibility of our acquiring.

Dr. Ziauddin Ahmad: In the first place I do not understand why no attempt was ever made. I only want to know whether Government has made any attempt to acquire them. That is really the point. I was referring to branch lines and other lines owned by small companies. My friend says there is no possibility of acquiring them. May I refer him to the case of the British railways? Before 1922, the British railways were owned

[Dr. Ziauddin Ahmad.]

by 112 different concerns; they were 27 principal and 85 subsidiary companies; but all of them were amalgamated together under four units by the British Railway Act of 1922. If these companies could be combined in England, if all these railways could be combined in other countries; then I do not see why they could not be combined in India, if it is proved to the satisfaction of the Government, and to the satisfaction of the owners of the companies that it is to the mutual profit of both. We have to face certain problems under existing conditions, and to my mind, amalgamation of our Railways will be the right solution. The first problem is that when these Railways were taken over by the State, the position of the Agents became very different to what they were when the Railways were under Company-management. The Agents when under Company-management thought that it was their responsibility to see that financially and commercially the railway lines should pay. Now, the powers are there, but they have no responsibility. If there is any deficit in the Budget, there is no Home Board to remind them that they are not doing well. The taxpayers of India will pay for all the mistakes done by these Agents . . .

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh; Muhammadan Rural): And still you want to acquire all the Company-managed railways.

Dr. Ziauddin Ahmad: But there will be a different administration. This is really one of my chief difficulties with regard to the present administration.

The second reason why I advocate a change is this. In the old days under the Company-managed system, the railways were run very economically under what is known as the district system; that is to say, the Agent and his office had direct responsibility for the whole line, and the Agent had only subordinate officers under him. Now they have recently introduced what is called the divisional system which is certainly much more expensive than the district system.....

The Honourable Sir Muhammad Zafrullah Khan: I submit, Sir, that the Honourable Member is not speaking on the motion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got only two minutes more

Dr. Ziauddin Ahmad: All right, Sir; I shall finish within two minutes. You wait for my argument. We borrowed division systems from Germany, but overlooked that they have no Agents. In Germany, Sir, there is only one Agent, and not many Agents as we have here. If we amalgamate our railways into four units then substantial economies can be effected. On account of the vastness of this country, I do not suggest that we can have only one Agent for the whole of India for the amalgamated railways, because India is a very much bigger country than Germany, but still, when the divisional system is there, I do not see why we should have such a large number of Agents. We should reduce the number of Agents into four, which means that all the different railways should be combined or amalgamated into four units. I am sorry, Sir, the Government do not see their way to give effect to the recommendations of the Acworth Committee, and their example is very much like what is illustrated in a

certain story. A person was suffering from a chronic disease. He went to a doctor, and the doctor asked him to give up woman, wine and singing. After three years, when the patient again approached the doctor, he found the same malady existing in the patient, and so he told the patient that he had not carried out his instructions to give up woman, wine and singing. At once the patient replied: "Yes, I have given up singing." The Government follow the advice of Committees in the same manner as the patient followed the advice of the doctor. ("Hear, hear" from Opposition Benches.) The Railway Board has given effect to the minor recommendations of the Acworth Committee, but the most important recommendations of State-ownerships and amalgamation have not been given effect to.

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, I am a little encouraged to participate in this debate, because, I find that for the first time the Railway Member has admitted the proposition that amalgamation will result in economies and that the Government of India are examining the policy of amalgamation. My mind went back, when I heard the Honourable the Railway Member the other day, to a speech which another Railway Member, Sir Charles Innes, delivered on the floor of this House, and I was the culprit who raised the question of amalgamation, and he, tall and giant-like as he was, grew so furious that he looked down on me as if I was saying something very revolutionary. Everybody wants to see that overcapitalization should be stopped. I rather appreciated the remarks that fell from my Honourable friend, Sir Leslie Hudson, the Leader of the European Group. I felt as if my Honourable friend was applying his mind to the question of overcapitalisation, but the remedy that he trotted out was revolutionary. I hold the European commerce interest responsible for overcapitalisation. I wish only to remind him of the evidence which the Bengal Chamber of Commerce tendered before the Acworth Committee through Sir Alexander Murray, who was then the President of the Bengal Chamber, and who is fortunately now in India doing certain Indo-European alliance business in a certain Committee. Sir Alexander Murray said "Money must be found and spent on Railways, no matter whether we have direct State-management or Company-management by a Board sitting in India or in London". That was the burden of the resolution forwarded to the Government of India... ..

Sir Leslie Hudson: What year was that?

Mr. B. Das: It was in the year 1921-22.

Sir Leslie Hudson: Circumstances have changed since then.

Mr. B. Das: What the descendants of the John Company dictate today to the Treasury Benches, the servants of the East India Company obey, and what Sir Alexander Murray and the Bengal Chamber of Commerce dictated in 1921-22, the Government of India, the then Railway Board, obeyed and so Sir Clement Hindley carried on the policy of extravagance and over-capitalisation. I, therefore, see a ray of hope in this policy of amalgamation. Of course, I see the trouble ahead as one railway is State-managed, the other is Company-owned, but if a particular railway is still Company-owned, part of the blame lies at the door of the Secretary

[Mr. B. Das.]

of State, who again happens to be a representative of the British Chamber of Commerce and British merchants trading in railway appliances in this country. I want my Honourable friend, the Railway Member, to look into the records of the renewal of the Bengal Nagpur Railway's new agreement with the Secretary of State in 1912. This has been the subject of various inquiries from this side, and the present Railway Member will not be able to trace any document in the archives of the Railway Board to see why the penalty clause was taken away from the agreement with the Bengal Nagpur Railway by the then Secretary of State. The result is that the Bengal Nagpur Railway can go on committing extravagance and mal-administration, and neither the Government of India nor the Secretary of State can exercise any control over them. So, if a Secretary of State sitting at Whitehall can commit such extravagance and hand over the railways to such policy of mal-administration. I think the legal advisers of the Government, including the present Law Member, should see how we can take over these Company-managed railways and amalgamate them with the State-managed railways, and above all, how little do these Company-managed railways own as capital. They now own five to 15 per cent. of the capital of most of the Company-managed railways in India. So, Sir, if we amalgamate all the railways together and bring them under four groups, it will certainly help us to reduce rates and fares. It will facilitate, as my Honourable friend, Mr. Mathuradas, has pointed out, trade in India. Today, owing to a particular railway being controlled from London and another being controlled from Delhi or Simla, the rates and fares are different, and if the whole system is divided into three or four groups, the rates and fares would be uniform in each group at least. The concession in passenger fare over 250 or 300 miles is taken away if, for instance, I want to go from Calcutta to Madras. From Waltair I have again to pay more for the first 300 miles at 12 pies per mile in the case of the second class and 24 pies per mile in the case of the first class. All these things will be obliterated, and that will bring a certain amount of benefit to the passengers. It will also indirectly help greater movement of passengers throughout India. Sir, I am more interested in the movement of Indian industrial products, which will go throughout India if the so-called barriers raised by different railways are removed and economic rates are charged. Again, if there are certain legal difficulties which the present Railway Member cannot do away with and it takes time to examine it, and it will take time to move the Secretary of State to end certain clauses in the agreement that crept in there without consultation with the Government of India or the people of India, let him take time, but there are other fields where a lot of action can be taken. Why should there be any distinction in the working of the railway workshops of the State-managed railways and Company-managed railways? I would refer my Honourable friend to the report of the Raven Committee on the State Railway Workshops in India. The report ended in a smoke, it was shelved and very little action was taken on it. The time has come when Government should concentrate—they have already acquired the Peninsular Locomotive Company—in one particular workshop they ought to manufacture locomotives; in another they should standardise and manufacture wagons. I would advise the Government to close down the various workshops that various railways have got. I do not think that the agreements with the Company railways enforce an obligation on the Railway Board that those workshops which are

running at a loss should continue working at a loss simply because every railway must have a paraphernalia of half a dozen poorly equipped or poorly managed workshops to do little repairs whether in locomotives or in wagons. If the Honourable Member himself cannot do it, I would suggest to him to appoint a departmental committee. I do not suggest now the appointment of a super-expert committee for this, but, Sir, I was pleasantly surprised when I received valuable support in this direction from a quarter from which I did not anticipate, that is, from my Honourable friend, Sir Leslie Hudson. He wants an expert enquiry into the accounting of railways and I want an expert enquiry into the administration of Indian Railways. That is a larger issue. What I suggest now is the appointment of a departmental committee to enquire into the working of the different railway workshops. It is no use maintaining huge staff there. My Honourable friend, Sir Henry Gidney, or my Honourable friend, Mr. Joshi, or my Honourable friend, Prof. Ranga, on this side of the House, may growl at me; I am not concerned with that. I am concerned here with the efficient management of the railways, where by applying a policy of amalgamation and concentration as regards the production of railway appliances we may bring about a certain amount of economy in the present heavy cost of expenditure over the Indian railways.

The Honourable the Railway Member has assured us that he is going to examine whether he cannot take over and amalgamate the South Indian Railway and the Madras and Southern Mahratta Railway. But I would like him to go further and see whether, after guaranteeing to the Companies certain minimum dividends and also their share of profit, we cannot take away from them the management and combine the management with that of the State-managed railways so that the management might be more efficient and more economical, resulting in more savings to the railways themselves. I agree with my Honourable friend, Dr Ziauddin Ahmad, that the Company-railways have become more and more extravagant. I particularly referred the other day to the Bengal Nagpur Railway. I referred also to one State railway, the North Western Railway, over which my Honourable friend, the Railway Member, used to travel. Now that he has become the Railway Member, let him occasionally walk into the different workshops, the different stations, the modelling and re-modelling going on there, the electrification of every station that is going on so that a few railway servants may have the advantage of electric lights in the evening. No railway can show any improvement if it goes on from extravagance to extravagance, simply because it is a State-managed railway and is protected under the present Government of India Act and by the present Government of India which is an irresponsible Government. We can improve the railway management. Whether he is willing to get an efficient examination by an outside agency or by an inside agency, if he only asks his office to tabulate for him the various suggestions that have been made from this side of the House, from time to time, he will find a good number of ways of improving the railway finances and he will be surprised why no action was taken before. But for that he will have to be bold, he will have to brush aside the objections that the railway bureaucrats will place before him—that their covenants entitled them to this, that and the other. The other day my Honourable friend, Sir Henry Gidney, was annoyed and he wanted to abolish the Railway Board. I was really surprised that the attack came from that side. I do not want the abolition of the Railway Board; I want

[Mr. B. Das.]

greater control, more tightening of the control from the Railway Board on these railway administrations. I do not want the Railway Board to be mere adjuncts of the Agents of Railways. I wish the Railway Board to be completely Indianised, the members of the Railway Board should be Indians, without having been Agents. If they want an engineer, let them make him an adviser. Let them Indianise the Railway Board and apply all the principles of strict financial control. Not only will there be an economic result, but there will be an improvement of railways and railway administration in a thousand and one ways by co-ordination, amalgamation and standardisation.

I wish to allude to one more point regarding the Railway Board, and it is this. The people of India, or we, who sit on this side, have no confidence in the Railway Board. The Railway Board or the railway administrations have never thought of manufacturing railway appliances in India. They could have done that during the last ten years when the railway finances were separated from the general finances. But, unfortunately, the control is such that, even though the suggestions that we make on this side appear to be correct, they cannot be carried out in practice.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

Mr. B. Das: The Railways should have patronised and developed Indian engineering industries and started railway industries all over India so that less money would go out of India whether for locomotives or for other appliances such as fishplates, sleepers, etc., but I see that European experts, under the guise of modern improvements, import new engines or new engine parts or new safety appliances simply to patronise certain firms outside India, and that alone will entitle us to condemn the Railway Board. I hope that these suggestions of mine would be examined in the light of friendly criticism and not in the light of opposition.

Sir Abdul Halim Ghuznavi: I have been advocating the amalgamation of railways for the last three years. We have got five
3 p.m. State railways, the Eastern Bengal, the East Indian, the North Western Railway, the Great Indian Peninsula and the Burma Railways.

An Honourable Member: The Burma Railways are going away.

Sir Abdul Halim Ghuznavi: All right. Then, four State railways remain. Speaking about the East Indian Railway and the Eastern Bengal Railway, I cannot imagine why these two railways cannot be amalgamated. There are two offices across the road. The Eastern Bengal Railway was a State railway from the very beginning. The East Indian Railway was taken over in 1925. When that was done, it was the duty of the Government of India to give them a month's notice and hand over the management to the Eastern Bengal Railway. They did not do that. What is the result. The East Indian Railway, when it was a Company railway, was paying a dividend. The moment it has been transferred to the State, the responsibility of the Agent has ceased and it is a non-paying concern now.

Mr. P. R. Rau: It is still a paying concern.

Sir Abdul Halim Ghuznavi: I am glad to hear that. It will be a better paying concern if you amalgamate it now. Look at the saving that can be effected? Each railway has its own stores purchase policy. The stores that the Eastern Bengal Railway want the East Indian Railway do not want. This double expenditure could be easily avoided. The Eastern Bengal Railway wants one particular kind of light, while the East Indian Railway wants another kind.

An Honourable Member: The Eastern Bengal Railway has no lights!

Sir Abdul Halim Ghuznavi: No. The Eastern Bengal Railway has got better lights than the East Indian Railway. One Honourable Member told me just now that it is impossible to amalgamate the two systems because the Eastern Bengal Railway is a metre gauge line. Why is it impossible? Why should we have two offices across the road? Why should not the Great Indian Peninsula and the North Western Railway be amalgamated?

An Honourable Member: The Bombay, Baroda and Central India.

Sir Abdul Halim Ghuznavi: That will come later when we acquire the Bombay, Baroda and Central India Railway. At the moment we can easily do this. The Honourable the Commerce Member must realise that he can never expect a better revenue for the railways any more. Let him put as much faith as he likes, there will be no improvement in railway earnings in future years. It cannot happen. It will have to compete with various things. The only way to balance your budget is to reduce your expenses. There is no other way of doing it. When a commercial concern is not paying its way, it gives one month's notice to its employees and asks them to clear out. You will have to do that. A certain machine was invented by some people to check tickets and to sell that machine the crew system was introduced, and the number of crewmen would have to be more if a large number of machines were to be sold. The Controller of Stores of the East Indian Railway told me that the machines they have got they would not require for 200 years.

Sir Cowasji Jehangir: They would require it after 200 years?

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): It will be put in the museum then.

Sir Abdul Halim Ghuznavi: Formerly the East Indian Railway had different centres of purchase. They had a Lucknow centre, a Calcutta centre and another centre. Now, they have abandoned all that and amalgamated. There will always be a saving if you amalgamate the two stores offices. What is the difficulty in amalgamating? That is what I want to understand from the Honourable the Commerce Member. What is the difficulty in amalgamating the two offices across the road?

An Honourable Member: Vested interests.

The Honourable Sir Muhammad Zufrullah Khan: By an overhead passage! (Laughter.)

Sir Abdul Halim Ghuznavi: That is the only way in which you can balance your budget. You will have to do it and the sooner you do it the better. I hope and trust that the Honourable the Commerce Member will look into this amalgamation himself and see whether he cannot effect this at once, if not at once, as soon as possible.

Lieut.-Colonel Sir Henry Gidney: I rise to support this motion moved by Mr. Azhar Ali. I see behind this Resolution a most important point, one that demands the sympathy and approval of the entire House. The Honourable the Railway Member, while introducing the budget, confessed that he was surrounded by handicaps, and he gave a very gloomy picture in that he was not very sanguine that the future held out any brighter hopes. I agree, it is no use dealing with the fringes of the subject. We must get at the very root of the whole thing and offer practical suggestions by which the Honourable Member can effect savings.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

Sir, I have been an advocate for years of the manufacture of locomotives in this country. I opine it is not right that, after 80 years of Government administration of railways, India should still not be able to manufacture her own locomotives. Government may have reasons why this is not being done, but, to my mind, there appears to be no reason as to why locomotives should not be manufactured in this country—at least a start should be made. This is one of the reasons why I am in favour of amalgamation of railways, to my mind, one insuperable difficulty in this matter is the division of railways into Company and State railways. I have never been in favour of State control, but if we could evolve a scheme by which we could get amalgamation of all railways and so reduce overhead charges, including the Railway Board, I am in favour of it. Now, Sir, let us see, whether this amalgamation of the railways is of such importance as to justify this House demanding a termination of the present contracts with the various Company railways. Facing us, however, is the decision of the Secretary of State that the protection hitherto given to these contracts will be inviolate. That is the trouble that faces us, and so the only amalgamation we can make is between State railways. Now, how do we stand with regard to this amalgamation? In Calcutta, we have the termini of three railways—one Company and two State. I agree in toto with what my friend, Sir Abdul Halim Ghuznavi, said that the two State railways in Calcutta should have been amalgamated when the East Indian Railway was taken under State control in 1925. We have repeatedly suggested this in this House, and I believe—I speak subject to correction—that the Government of India have considered this matter very carefully, but, with the divided forces that faced them, I am not surprised that they have come to the conclusion that it is not possible—I may be wrong, but, so far, the fact that they have not been amalgamated means that I am right. As other instances, let

me take Bombay, where we have the termini of two large railways—one a State and one a Company, the B., B. and C. I. and the G. I. P. In Madras, you have two—the Southern Mahratta and the South Indian. Then, you have the fact that the N. W. R. and the G. I. P. are almost contiguous and contemporaneous at Delhi. Now, Sir, this House has to decide if this is a practicable proposition. If it is, what are the difficulties to be faced? I leave it to the Honourable Member with his expert staff behind him to suggest means by which they can in time amalgamate the State railways; furthermore, none can deny that the Pope Committee definitely recommended amalgamation. The Railway Retrenchment Committee also recommended such as a measure of economy, and we in this House have frequently recommended it. The Government cannot deny this but it may be it has proved to be a practical impossibility.

The Honourable Sir Muhammad Zafrullah Khan: If it has proved to be a practical impossibility, why pursue it?

Lieut.-Colonel Sir Henry Gidney: Because, Sir, if you take the divided opinions of the various railways concerned, well, they have their vested interests to protect and they will, of course, say no—impossible. Now, let us take Calcutta, the termini of three railways. Let us confine our attention mainly to the two State railways. I ask the Honourable the Railway Member whether or not it is a fact that great economies will be effected if these two railways were amalgamated, complete or partial. As far as partial amalgamation is concerned, let me give three departments out of many where, I am sure, great economy would result: publicity, stores and medical departments. Now, let me take medical. I believe this has already received the consideration of the Railway Board as far as the E. I. and E. B. Railways are concerned, with what result I am not aware, but I do know there have been contrary opinions expressed by them. One can readily understand that, different interests, personal equations, etc., must influence such a decision, and I submit that these factors have influenced the decision arrived at. Now, what is the exact position of the medical services in these two railways? On the Eastern Bengal Railway, you have a Chief Medical Officer drawing a fat salary, and four or five medical officers under him and about 20 assistants. He has a highly malarial district to look after, he has an independent office, an independent staff, an independent saloon, etc., etc. Now, that railway is next door to the E. I. R. The E. I. R. also have a Chief Medical Officer, with about ten or twelve or fifteen medical officers under him, a few hospitals, and about twenty assistant surgeons and more sub-assistant surgeons, with his own office staff, saloon, etc. These offices are almost next door to each other within the shadow of each other, and yet these two distinct sets of medical staff and offices operate in an area a large part of which is medically administered by one Surgeon General with the Government of Bengal. The Surgeon General with the Government of Bengal has about 30 I. M. S. Officers, a large number of civil and military assistant surgeons, hundreds of sub-assist. surgeons, and five or six hundred hospitals to control. He runs this enormous area with a small office, and runs it very efficiently. But, in the railways, we have two Chief Medical Officers with a large staff of their own working in two narrow different directions and doing nothing else but post office work for the Agent and the Railway Board. (Hear, hear.) The same thing applies to the G. I. P. and the N. W. R. This may sound a very cynical

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comparison, but it is only by comparison that one finds out the defects of a measure and our improvement can be effected. I submit, Sir, if you cannot amalgamate the State railways in entirety, they can be partially amalgamated in some departments. I ask the Honourable Member,—"Can't you amalgamate the medical services on the State Railways"? I would suggest the appointment of a minister of health in the Railway Department (Hear, hear) who would be responsible for the medical work of the entire State Railway Administration. He would have a senior medical officer attached to each railway, and these would have junior medical officers under them. This minister of public health would deal with all railways, instead of as at present five Chief Medical Officers each in receipt of Rs. 2,500 per month with extra travelling allowances, saloons, etc., etc.

An Honourable Member: What about the deputies on the different railways?

Lieut.-Colonel Sir Henry Gidney: The Surgeon General has no deputy under him; all his district medical officers should be placed in one cadre under him. This obtains today in the I. M. S., and also in the Army. Why not in the case of the medical part of the administration of the railways? Sir, I say with all respect to the Railway Board, that it is a practical possibility. Then, take the publicity department. Each railway has a publicity branch competing with each other in its advertising efforts and their railway journals. All this could be done by centralised control or amalgamation. Then take the question of stores. The same thing applies. I shall not touch on coal amalgamation, because that is the speciality of my Honourable friend, Sir Abdul Halim Ghuznavi (Laughter.) I do not ask you to take, as one Member suggested, to a committee. Talking of committees brings to my mind a particular story,—the story is this. A little boy asked his mother: "Where has daddie gone?" The mother said: "Daddie has gone to attend a committee meeting." Then, the boy asked: "What is a committee meeting, mummie?" The mother said: "A committee meeting is a place where a lot of men get together, they keep 'minutes' and waste hours." (Laughter.) In this Resolution, this House, in no uncertain terms, asks the Honourable Member, who, I know, is sincere, to consider this matter dispassionately, not from the distorted angle of personal interests, as has been the case in the past; let him realise that it is practicable, and if he does realise that, I know he has got the brains and determination, and a way will be found.

Sir, I support this motion because it will effect considerable economy. Indeed it will revolutionise the whole Railway Board, it is time this was done. It would kill the freight battle that is raging today between the different railways in Calcutta and elsewhere. Three railways are today competing with each other in Calcutta. Adopting cunning or circuitous courses, the one tries to cut the throat of the other in rates. All this can be stopped if we make some attempt at amalgamation. In conclusion, let me say: My Honourable friend, Mr. B. Das, tried to put into my mouth words which I never uttered. I did not say that I wanted the Railway Board to be abolished. I said the Railway Board should not be encouraged to take over Company railways which are now

running at a profit, because, we know from experience, that once these profitable institutions are taken over under the State control of the Railway Board, they become wreckages of once flourishing institutions.

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member suggested an additional Member to the Railway Board in the shape of a Medical Member.

Lieut.-Colonel Sir Henry Gidney: I am glad the Honourable Member has brought this subtle point to my notice. When I said that, I recommended it as one of the benefits of partial and not complete amalgamation. But if all State railways are amalgamated, I do hope, centralisation will be run on a sound commercial basis, not as at present under the patch-work system that one sees today. The Railway Board today, I say, consists of nothing but a series of after-thoughts, there is no co-ordination. The Honourable Member himself is one of the recent after-thoughts, an excellent one no doubt. I say, organise the Railway Board as it should be on sound business and economic lines. What do we see today? Nine-tenths of the Agents are Engineering Officers. Tell me any railway in England except one or two where an Engineer is the head of a commercial concern like a Railway is.

Mr. B. Das: I protest against this remark on behalf of the Engineers. They are as capable business men as anybody else. I am an Engineer, and I am a business man too.

Lieut.-Colonel Sir Henry Gidney: The Honourable Member is not a commercial man. He is merely a Member of the Legislative Assembly. With these words, I support the motion. (Applause.)

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammada, Rural): Sir, with respect to the policy under which the railway system is worked in this country, I heard the Honourable Member for Commerce and Railways refer to an instance from America and also extract a passage from a report there for the purpose of making us understand as to how the railway system is to be worked. I would ask the Honourable Member to take the very instance of America and the manner in which the English system is worked today. Sir, a spirit of competition was once, at the earlier stages, in England, welcomed by the British Parliament for the reason that unless there was healthy competition between the various railway companies, it is not likely that the persons who use them, either for passenger traffic or for trade purposes, might derive any benefit. They, however, at one stage, thought that without competition a spirit of monopoly would come into being and the general public at large would suffer. Therefore, in the earlier Acts that were passed regulating the railway companies and their working, the Acts were passed by British Parliament definitely incorporating this principle of accentuating the differences between one company and another and this principle was insisted upon and every attempt was made to secure that there was that competition growing and growing. Ultimately, it was found that by this spirit of competition several railway companies were cutting each other's throats, under-cutting with respect to fares and rates and in the end they neither served themselves nor served the public at large. Thus they gradually evolved the

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scheme of amalgamation with one centralized national system for the whole country with various branches or divisions according to geographical considerations. I would in this connection refer to a passage in the book "*Railway Rates, Principles and Problems*", by Phillip Burt, at page 89, where he describes that in the early days, the British Parliament was trying to insist upon a spirit of competition prevailing and ultimately on account of the ruinous policy that was pursued, that was given up, and:

"The 1921 Act, with its unprecedented amalgamation schemes, has reversed this traditional parliamentary policy of railway competition, but the deeply rooted feeling that a considerable measure of competition must be preserved in the interests of traders prevented what was undoubtedly the intention of the framers of the 1921 Bill, that all railways should, in the first instance, be amalgamated into one national concern, with powers of devolution to different regional or territorial boards of Government."

He also says:

"Under this scheme of amalgamation and combination of railway forces, he anticipates vast economies which he estimated at the minimum figure of 30 millions sterling a year. The new Act is undoubtedly based on the assumption that progress in the future whether of economies in expenditure, of efficiency in management or of advantage to railway users, must be conditioned upon a much larger measure of co-operation in the railway world than any that has gone before."

Now, Sir, a new principle was evolved there and it takes us hundreds of years to adopt that principle here. It is unfortunate that, in every measure so far as the Government are concerned, we are absolutely behind date and it is no wonder that with respect to the policy of railway administration, we equally lag behind in this country. England has only a mileage of 21,000 miles of railway, whereas we have nearly a mileage of 40,000. But, if we want experts in railway work we have to indent on experts from England. Even when such experts come and go, we go on for ever in the old rut.

In the Acworth Committee report, it was recommended that for the purpose of continued or proper adjustment of rates and fares, so as really to be of more benefit for the purpose of promoting commerce and industry in this country, that the various companies should be amalgamated or co-ordinated for that purpose. But even to this day, except for a small alteration by the combination of the various companies under State-management, nothing more has been done in the way of rates and fares. Mr. Acworth says:

"The removal of block rates has been facilitated by the territorial adjustments of the East Indian, Great Indian Peninsula, North Western and Oudh and Rohilkund lines after the assumption of State-management for the first two in 1925."

Nothing has been done further.

"With a view to effect reductions in the rates for long distance traffic, he emphasized that all rates in India, both local and through, should be on a tapering scale, the whole distance of conveyance being treated as though belonging to one administration, in case of through traffic."

Sir, the necessity for amalgamation, and having one system of State control and if that is not possible, at any rate, for amalgamation of the various companies cannot be too much insisted upon. By various

exports it has been pronounced that this is the policy that should be pursued and we can easily follow the useful example of England in this matter. I submit that it is unfortunate that Government have not given effect to this policy. In England and America all the railways are managed by companies. Government have not taken over their management. In Continental countries, all the railways are under State control. Here in India we have both State control and Company-management. We are both the owners as well as persons discharging the functions of supervisors or managers. But we do not do either the one business or the other properly and satisfactorily. The Honourable the Commerce Member said that if all of us belong to a company of shareholders, we would be talking in a particular strain. I would say, let us address ourselves to that aspect of it. Certainly, inasmuch as we have invested a large amount, it is necessary to find out avenues for increasing the income and to meet our deficit. At the same time we must also so adjust the rates as to promote the economic welfare of the country. Are we satisfied that the railways are run purely as business concern? We are constantly in deficit. I am sorry to say that the lengthy speech of the Honourable the Commerce Member running over 25 pages is barren of any scheme for the economic working of railways in this country. The Honourable Member thinks that by prosecuting some small people who travel without tickets, he can achieve his object. I was wondering if there was not already provision. I find in the Railways Act about 20 sections deal with penalties to be imposed. The unfortunate ticketless traveller can certainly be prosecuted under section 112 or section 113 of the existing Act. Of course it is unnecessary to dilate upon that matter any further. I am only drawing the attention of the Railway Member to this that these small measures of trying to prosecute this man or that man, making it practically impossible for him to get into the train, making him terribly afraid of the train and the service as if it were a devil or a hobgoblin,—that is not the principle on which economy should be effected.

There are two or three principles which have been reiterated in the various proceedings. Amalgamation is one. I will state briefly the advantages, so far as we are concerned, arising from the amalgamation. I will first say, that if the entire administration is in the hands of one company or the State, it is possible to have a telescopic or tapering scale introduced. As the length increases the rate might decrease. That is what is followed in America. For milk supply, for the first 150 miles the rate was fixed so as to increase the flow of supply from various parts to the centre. They said, beyond 150 miles there should be no additional rate whatsoever. The tapering scale gets extinguished automatically at the end of 150 miles. That might not be possible here for the reason that we have to deal with two or more companies. It may so happen that the first management where the service starts shows some concession and the other company, over which the goods have to be carried, might be left with nothing because that may be the line where the tapering comes to a finish. There are various other schemes which can be set on foot with respect to rates and fares, if there is a continuity of line under the same administration. Otherwise, if it is interrupted at small stages, as it is interrupted in our country by various managements intervening, I would say that it is not possible to bring into existence those rates. Persons who are acquainted with rates and fares know that

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there are what are known as zone rates, blanket rates, tapering scale rates and equal mileage rates. Except, to some small extent in each administration, introduction of these is not possible as we stand at present. If goods have to be carried for 1,150 miles now it is **rather** difficult to apply these principles. All the various companies have to co-operate and some companies have to undergo greater inconvenience than other companies or other managements. Besides helping the growth of industries, amalgamation will bring about economy in the matter of working the railways. There are certainly too many officers in the South Indian Railway and the Madras and Southern Mahratta Railway, the two railways in which I am more interested. Both of them have two central places, one at Madras and the other at Trichinopoly. They have two different workshops maintained. There may be only one workshop for the entire Presidency. Instead of two Agents and two chiefs in the Engineering departments or in the various transportation departments, there may be only one. Inconvenience to passengers may also be avoided by amalgamation. There may be a uniform scale of pay and prospects introduced for the employees

As regards stores purchase there was a special cut motion which was moved by my Honourable friend, Pandit Nilakantha Das, with respect to which we had a lot to say. In the annual reports we find that the defaulters are the companies. In spite of repeated recommendations it is the company that refuses or the company Agent that refuses to purchase either through the Indian Stores Department or in this country. We find that out of 14 crores worth of articles purchased by way of railway stores, only eight crores are purchased locally and the rest, *i.e.*, nearly six crores, purchased from foreign countries. Some of them no doubt are purchased through Indian agencies. That is a very poor consolation. Such a thing would not happen if all of them are under a single management controlled by the State. I would, therefore, say, that amalgamation is a fruitful source of economy, and it is unfortunate that this was not referred to or better steps have not been taken by the Railway Member or by Government to effect economy in these directions and also to meet the convenience of the public, so as to promote trade and improve rates and fares. I would, therefore, wholeheartedly support the cut motion.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, every section of this House will agree as to the principle of amalgamation of railways as it is a very desirable thing. There are obvious reasons for this, and in the short time at my disposal I will dilate only on two or three points. First and foremost of course is the great economy which will follow as a result of this amalgamation. The overhead charges will be reduced and there will be economy in stores purchase and other matters. Many other speakers have dwelt on this point and so I need not speak at length on this. There is another point, Sir. It will go a long way towards making the rates and fares on the different railways uniform. At present . . .

Mr. M. S. Aney: How can you guarantee that?

Babu Baijnath Bajoria: On the East Indian Railway there is one scale of rates and fares and on the Eastern Bengal Railway there is a different rate. If they amalgamate there will be one scale.

Mr. M. S. Aney: How can you say there will necessarily be one scale?

Babu Baijnath Bajoria: That will be decided by the Railway Board. At present the rate of passenger fares on the Eastern Bengal Railway and the Bengal Nagpur Railway are much higher than on the East Indian Railway. The rate of freight on goods on the Eastern Bengal Railway is much higher than on the East Indian Railway. Trade has been consistently pressing that there should be a uniform rate for all classes of goods for the same distance on all railways. Take for instance jute. If I want to despatch jute for 100 miles there must be the same rate on the East Indian Railway as on the Eastern Bengal Railway. We are not getting that at the present moment, the rate on the Eastern Bengal Railway is higher than on the East Indian Railway. I think this will be eliminated to a great extent if the East Indian Railway and the Eastern Bengal Railway amalgamate.

Mr. M. S. Aney: It will be economy with loss of revenue.

Babu Baijnath Bajoria: No, no. Then there is now a cut-throat competition between the railways. What they do now is, that when despatching goods from a station for through booking, they always try to take the goods on their own railway as far as possible, even if the distance by that route is much higher than by the other route in which they may have a smaller share in the freight. This means that they also quote lower rates for the longer distance than for the shorter distance in which their share is less. I think this thing is very unjust. If an amalgamation is done this will also be eliminated. Unfortunately, at the present moment, there are only four railways, excluding the Burma Railways, which are managed by the State. Of these four, I quite agree with my Honourable friend, Sir Abdul Halim Ghuznavi, that the East Indian Railway and the Eastern Bengal Railway can be and should be amalgamated. There are two head offices of the two railways only across the road, and a good deal of saving can be effected if the head offices of these two railways can be amalgamated. But, Sir, I am very doubtful about the other suggestion made about the amalgamation of the North Western Railway with the Great Indian Peninsula Railway. I think what should be done is that as we acquire and purchase the other railways which are at the present moment managed by the companies, they should be divided into different zones; the eastern zone, the southern zone, the northern zone and the western zone; and we could divide and group these different railways in these zones. But of course that is a thing which cannot be done at the present moment. For instance, when we get the Madras and Southern Mahratta and the Bengal and North Western Railways we can amalgamate them. The Madras and Southern Mahratta can be amalgamated with the South Indian and part of the Bengal and North Western with the East Indian Railway and part with the Eastern Bengal Railway. This is a thing which can be done later on but the Railway Board should do well to bear these in mind. With these words, I heartily support the motion.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): Sir, I rise to support this out. It is true that these Company-managed railways have been able to show better profits than the State-managed railways and for a longer period, but it is not true to say that the Company-managed railways have been giving any better satisfaction or at least as much satisfaction as the State-managed railways, either to the peasants and other persons interested in sending their commodities through the railways or to the third class passengers. Sir, I find from the memorandum circulated by the Financial Commissioner for Railways that, whereas the State-managed railways began to show certain losses by 1930-31, the Company-managed railways, especially the Madras and Southern Mahratta Railway and the South Indian Railway, which I have particularly in mind, were able to show profits up to 1931-32, in the case of the Madras and Southern Mahratta Railway, and up to 1932-33, in the case of the South Indian Railway. At the same time, while the State-managed railways have been trying their best to economise in their working expenses and have really succeeded, in the last four or five years, in economising to the extent of six crores of rupees, the Company-managed railways have not economised at all, but have been spending very much more than in 1930-31, when the depression began to be felt. If you look at page 33 of the Explanatory Memorandum, it will be found that the State-managed railways began to spend less sums from 1931-32, while Company-managed railways, especially the Madras and Southern Mahratta and South Indian Railways, have been spending much more than they did in 1930-31, when the depression began to set in. This only shows that the Company-managed railways—especially the two which I have mentioned, which have not been amalgamated and which ought to be amalgamated and whose amalgamation is considered to be of very great help by the Honourable the Commerce Member himself—have been increasing their expenses at the expense of the consumers themselves. They have not tried to economise in their working expenses, nor have they tried to improve their services, with the result that today these two companies are facing the worst possible road-rail competition in the country. It is these companies which are obliged to seek the protection of the Government of India. I find that the Government of India have not got any right to force these two companies to amalgamate in order to economise in their working expenses and overhead charges: that only shows how necessary it is for the Government of India to take over the management of these two companies, amalgamate them and economise on their working expenses, and thus help the taxpayer as well as the consumers on the railways.

I find that, on the whole, our railways have not been doing so badly as has been made out by many Honourable Members on the floor of this House. During this depression we have come across many commercial concerns which have not been able to pay even one per cent. interest on their capital. I can understand companies failing completely to pay any interest on their capital: here, we find our railways paying as much as three per cent. and even a little more as interest on their capital. That is the reason why I maintain that we should not take a hopelessly gloomy attitude in regard to the railways, and try to starve either the producer or consumer of railway services. If these two railways are amalgamated, much good work can be done in the way of improving the conveniences of third class passengers, and also in the way of lowering the freights for agricultural produce. These two companies are the worst examples of

railways which charge higher rates for agricultural commodities and also for third class passengers in the whole of this country. If by exploiting them in a merciless fashion and charging the maximum that the traffic can be said to bear upon agricultural commodities as well as for passengers, they are able to show some profits, I do not really think it is a complimentary thing for them, nor is it an achievement to be proud of. It only shows how these two companies have been unconscionably exploiting the workers as well as the consumers.

Again, Volume II of the Railway Board's Report for 1934-35, shows that the wages paid by the Madras and Southern Mahratta and South Indian Railways are very much lower than those paid by the Government of India in their own State-managed lines. The treatment meted out to labour is also very much worse than in the State-managed lines. The treatment meted out to third class passengers and other consumers in Company-managed lines, especially these two railways, is very much worse than what is being experienced in State-managed railways. I cannot, therefore, understand why my Honourable friend, Sir Henry Gidney, is so very anxious, in season and out of season, to espouse the cause of these Company-managed railways and to recommend to us the brave deeds of these railways. If these railways are not amalgamated today, it is because they are Company-managed. If their working expenses are not reduced today, it is because they are Company-managed. For that reason the State cannot have any control over them and the State cannot really give us the necessary satisfaction by way of reducing either their working expenses or the rates and fares, and thus help the purchasers as well as consumers on these railways. I find that the Government of India have been able to make experiments in the reduction of rates only in the North Western Railway, which is a State-managed railway. If they only had these two railways under their management, certainly it would have been possible for Honourable Members of this House to induce the Government of India to make similar experiments in the South also and help the consumers. But nothing can be done because these railways are Company-managed and cannot be brought under one system of management and administration.

Lastly, I find that in their frantic efforts to fight the bus competition, these two railways are obliged to grant some concessions here and there in a very peculiar fashion. If there are two stations one mile apart . . .

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has only two minutes more

Prof. N. G. Ranga: . . . the passenger rate charged to the station which is only one mile off is two or three annas less than to the station which is even nearer to the passenger. Naturally, a passenger who is clever enough and intelligent enough books his ticket for the more distant station and at the same time gets down at the nearer station. This only shows how the railways have lost all sense of proportion because of the necessity of having to fight this road-rail competition. I think the road-rail competition has come to stay in the South and I welcome its development in the interests of passengers. The Company-managed railways have been accustomed to treating third class passengers with the greatest possible contempt. The employees of these railways think that they are *badasahibs*, if not regular *Nawabs*. I wish to pay a compliment to those

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employees in the State-managed railways who have come to cultivate some better manners than the employees of Company-managed railways. I find also that the European element in the State-managed railways is not so much as the element in the Company-managed lines or the Anglo-Indian element. It is true that in Company-managed railways the European and Anglo-Indian staff have been treating the third class passengers in the most shameful manner, and it is no wonder that the road-rail competition is so very great in the South. If you want to fight this rail-road competition, what you have to do is not to prevent District Boards and Local Governments from venturing upon construction of new roads but to improve the manners of your railway staff and also improve your own railway services and also lower your freights and rates; and, in the end, bring them under State-management and also amalgamate them, so that, you can achieve all these results. With these remarks, I support this cut motion.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): Sir, so far as the railways are concerned, it seems to me that we live under a dual Government and I dislike all dual Governments. If the Government of India mean business, they should sit tight on railways and see that they run properly and behave properly. I have had much occasion for correspondence both with Agents and with the officers of the Railway Board in connection with many grievances of travellers; and I find that Government at headquarters almost always tell me that I must go to the Agents, because they are the proper authorities to go to, and when I go to the Agents they do not listen at all. So far as I know, railways are run on lands that have been acquired for them by the Government under the Land Acquisition Act, and, therefore, it seems to me but reasonable that when lands have been found for the railways, the Government should also see that the railways behave properly towards the people whose lands have been taken for the benefit of railways. I will give only two illustrations in order to show what exactly I mean.

I may assure my Honourable friends opposite that I am one of those who always believe in personal experience; and the incidents that I give are out of my own knowledge. There is a bridge over the Jumna near the Kalpi railway station on the Great Indian Peninsula Railway. The railway authorities suddenly took it into their heads to close that bridge to pedestrian traffic. There is a pontoon bridge also there which, owing to the flooded state of the river in the monsoons, is dismantled every year in that season. Now, the people on either side of the river had been accustomed to the use of this bridge for nearly fifty years; and suddenly the railway decides to close the bridge to their great discomfort, specially when the pontoon is also not available. It took quite six months of correspondence on my part—the bridge being in my constituency, the people kept troubling me a great deal—before that bridge was ultimately reopened. I am grateful to Mr. Rau for the interest he took in that matter; but Mr. Rau was more or less helpless; and though he was sympathetic he could only send me to the railway authorities and to the Government of the United Provinces.

I will mention another case which is still on my mind; and I hope it is also on the conscience of the Government. There is a *dharmashala* outside the Etawah railway station. The land for the railway station

itself has, as is usual, been acquired by Government and handed over to the railway. The railway has shut out the whole frontage of the *dharmashala* making it very difficult for passengers to get into it from the railway station. I have been corresponding about it, but all in vain; and the Agent only recently wrote to me that he had considered the whole matter and could not change his mind. The Government at headquarters say they are helpless. If Government are so helpless, they had better clear out. But if they really want to help the people then they should insist upon equity and justice being done to the public by the railway authorities. Personally I am no friend of this Government. The Government are bad enough; but what I fear is that the railway administrations are worse; and my only wish now is to get back to the frying pan from the fire, so that some day I may be able to get out of the frying pan into the water again.

Now, if we have amalgamation of the railways we can have uniformity. Uniformity is very necessary for the convenience and safety of passengers. What happens is this: different railways seem to have, for instance, different ideas about the human anatomy; and they construct their lavatories in different ways. Supposing I am travelling by the East Indian Railway and change at a station into the Bengal and North Western Railway, I suddenly find that I must change my anatomy also before I can utilise the sanitary conveniences provided by that railway. If there is amalgamation, I am sure there would also be uniformity, and Government would insist that latrines are constructed alike on all railways. Then at present one has to study every compartment—the bolts, windows, etc., of every compartment, before one can feel oneself safe. Sometimes the windows have to be lifted, sometimes they have to be let down, and very often people have hurt their fingers badly for not knowing what exactly to do with the windows. Sometimes the electric switches are put in one corner, sometimes in another corner; and you must provide yourself with a torch if you are travelling at night, before you are sure you will be able to get at the electric switch. Sometimes on a December night you may switch on the fan instead of the light, much to the inconvenience of other passengers with whom you are in danger of getting into a regular row.

We all know there are telescopic rates and fares on railways. On the East Indian Railway, for instance, they charge, say, for the first 100 miles 6 pies per mile; and for the next 100, 4 pies and so on. You take a ticket from my town of Benares to Delhi: up to Ghaziabad you are entitled to this telescopic rate: from Ghaziabad, instead of the East Indian Railway you suddenly jump on to the North Western Railway lines; and so you lose all the advantages of the telescopic rate and you are charged as if beginning a fresh journey.

Then, there are different rules about alternative journeys and they are very complicated rules indeed. Even railway servants, who are supposed to be working those rules, get thoroughly confused, not to say of laymen-passengers like myself. I have often got into trouble with railways over this thing, and if you have amalgamation of railways and uniformity of procedure, you will find that you will have definite and similar rules about break of journey and about alternative routes which everybody can easily understand. For instance, they permit you to travel say from Benares to Agra *via* Lucknow and Cawnpore or Allahabad and Cawnpore. I will mention an experience of my own. I particularly enquired at the Benares

[Mr. Sri Prakasa.]

station before I started whether I could travel to Agra by the ticket I had *via* Lucknow and they assured me that I could. While travelling between Allahabad and Cawnpore I was "caught", and the man was quite rude to me and would not believe me when I explained to him how I had made sure of the route before I started; and, therefore, following the example of the Finance Member, I was rude to him; and it resulted in my being allowed to proceed with my journey after my name and address had been taken down. My being a Member of the Assembly, I believe, saved me from further molestation and I was not hounded out of that train. But that did not save me from the consequences of the mistake of the railway authorities themselves for having assured me at the start that I could travel that way. There are heaps of instances like that that have occurred to me and I could give them to the Commerce Member if he would like to hear them, so that he may be able to bring about some reform in railway administration.

I will give one more illustration. Between Benares and Allahabad the East Indian Railway have two alternative routes. They
 4 P.M. allow you to travel either *via* Jhanghai or *via* Moghulsarai. *Via* Moghulsarai the distance is about 106 miles and *via* Jhanghai it is about 82 miles. They give this as an alternative route because they compete with the Bengal and North Western Railway on which line the distance between Benares and Allahabad is only 72 miles. They have a special reduced rate for the distance as well. There is cut-throat competition between the two railways which is very undesirable. But though they allow you this alternative route between Allahabad and Benares, they do not allow this if you want to travel further up the line towards Delhi. For instance, if you take a return ticket from Benares to Cawnpore or Delhi, you must travel *via* Jhanghai and not *via* Moghulsarai, and you must perform the return journey *via* Jhanghai after first detraining at Allahabad; because if you travel *via* Moghulsarai you get into a lot of trouble. I have explained to the Agent that the Railway actually stands to lose in this way, but he does not care. What I do now is this. I book first to Allahabad, and re-book from Allahabad to Cawnpore or Delhi. The result is I pay really less, and because the Moghulsarai route is also an alternative route, I can take a through train from this place to Benares *via* Moghulsarai—the timings being more convenient; and as I explained to the Agent, the Railway gets much less by my booking twice this way, than it would if it treated the route as an alternative one even for journeys beyond Allahabad instead of confining it to Allahabad. I have never been able to understand why the Agent is so obstinate in this matter.

Then, Sir, there is also a great need for adopting uniformity in the matter of food supply. The present system of food supply through contractors is so bad that the food provided at railway stations has deteriorated very considerably in quality. All the stations from Ghaziabad down to Etawah used to have very good food formerly, but now if you will try that food you will feel sorry.

The Honourable Sir James Grigg (Finance Member): All uniformly bad?

Mr. Sri Prakasa: Uniformly bad; if of course the Government wants it to be uniformly bad, let it be so. But what I am aiming at is that the food should be uniformly good. So far as the Honourable the Finance Member is concerned, everything is uniformly good for him.

The Honourable Sir James Grigg: I did not say so.

Mr. Sri Prakasa: Yes. I was given to understand,—and I assure him I did not get this information from his office at all,—that when he is travelling from Delhi to Bombay in the summer, 40 maunds of ice travel with him to keep him cool—cooler in the train than he is in the House.

The Honourable Sir James Grigg: That is perfectly true, but I paid for every maund of it.

Mr. Sri Prakasa: Sir, ordinarily a first class passenger is permitted to take with him only one maund and thirty seers of luggage, and I do not know whether he paid the freight for the ice at the beginning of the journey when it was 40 maunds or at the completion of the journey when the ice had melted and its weight been reduced to zero!

Now, Sir, I should have liked to close with a quotation from a remarkable book that is in the press called Grigg's *Assembly Manners and Morals*. I shall lay a copy on the table of the House as soon as the last page is written, which may not be till April, 1940. I will say that the greatest danger to decent railway administration in this country is the imperviousness of the Government to complaints from passengers, and their entire indifference to what happens to them. I have made a note against all officers concerned for proper punishment at a future date. I feel, Sir, that if Government would only listen more sympathetically to persons who suffer and not insist upon red tape methods as to the channels through which communications should come, if they made themselves accessible and were always prepared to listen with sympathy and courtesy to anybody who wishes to see them on questions of administration; if persons in authority did not unnecessarily lose their tempers at those who bring complaints to them; if the Government would only change their angle of vision and also their heart a little, I think it would be good for all of us. I don't say, and let there be no mistake about it, that the fight for Swaraj will be over as soon as the railways make travelling comfortable. The fight for Swaraj will go on.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

Mr. Sri Prakasa: Because so only will department after department of Government be compelled to improve itself and then only can some solace and comfort come to the people of the country over which they have been set to rule.

Captain Sardar Sher Muhammad Khan (Nominated Non-Official): Sir, I merely. . . .

Some Honourable Members: The question may now be put, Sir.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair called the Honourable Member to speak before the closure was moved

Captain Sardar Sher Muhammad Khan: Sir, I have nothing to add to what the last speaker has said. He has suggested the amalgamation of three things, namely amalgamation of railways, amalgamation of food and amalgamation of water. Then he said that sometimes it was found very difficult to get down at particular stations because sometimes some stations were on the right side and some on the left side, and people do not know on which side they should sit in the compartment. . . .

An Honourable Member: But you are always on the right here.

Captain Sardar Sher Muhammad Khan: In regard to food, I think, Sir, food amalgamation is very necessary, and I entirely agree with what my friend said, because we Punjabis get only *pan* and *bidi* on certain lines and no Punjabi food at all. If, therefore, food amalgamation is carried out, then things will be satisfactory. This is all what I have to say.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I am afraid the debate on the question of amalgamation has wandered over a wide field, and sometimes one felt that what was being said had not even the remotest connection with the subject of amalgamation. For instance, lest I should be accused of having paid no attention to the matters that my friend, Mr. Sri Prakasa, has brought to my notice, I will take them up one by one making very brief comments on them, and very respectfully put a question to the Honourable Member to tell me what those matters have got to do with the question of amalgamation of the different railway systems. Take the case of the use by foot passengers of the Kalpi Bridge over the Jumna. That matter has been set right, as the Honourable Member himself said, but what connection it has with the question of amalgamation I do not understand. . . .

Mr. Sri Prakasa: Amalgamation of the railways would have helped you to give speedier relief.

The Honourable Sir Muhammad Zafrullah Khan: I understand it was the Great Indian Peninsula Railway that the Honourable Member was referring to. It is a State Railway.

With regard to the *Dharamshala* at Etawah, that is on the East Indian Railway, another State Railway, but how amalgamation would have prevented the Agent from acquiring the piece of land that the Honourable Member referred to, I again fail to understand. I understand that the case of the Agent is that that plot of land, being in the close vicinity of the station at Etawah, was being used in such a manner, there being free access to it by the public, as to constitute a nuisance to the people who used the railway station, and, therefore, it was necessary to acquire it and to put a wall across it in order to keep people out of it. How amalgamation would have helped in the matter it is a little difficult to understand. Then the Honourable Member said, if Government cannot manage matters like this more quickly they should set out; how that would help amalgamation I fail again to understand. Then he made some complaint with regard to certain inconveniences that he had experienced on the railways, but

everyone of the instances that he gave was an instance which pointed towards an extension of the principle of standardisation rather than an instance bearing upon the question of amalgamation. If there were further standardisation of designs, that would obviate most of the inconveniences that the Honourable Member mentioned, as for instance, switches being placed in different places in different kinds of carriages, there being different kinds of lavatories in different kinds of carriages, and so on. With regard to telescopic rates, one or two other Honourable Members have also referred to them and I do want to warn them that in the case of amalgamation it would not necessarily follow that with very much longer distances, though there may be telescopic rates, the rates will stand at the same level at which they stand at present. If amalgamation is likely to result in reduced earning, it is quite possible that the rates would have to be adjusted to the new circumstances. Then the Honourable Member gave some instances of inconvenience to himself in travelling from Benares to Agra. The whole route from Benares to Agra lies along one system, the East Indian Railway system, and that a State system. How amalgamation would have obviated those inconveniences I again fail to understand. As regards the route from Benares to Allahabad he has complained that you can go from Benares *via* Janghai to Allahabad or you can go round *via* Moghalsarai, but you are not permitted to proceed west of Allahabad by the latter route. Both these routes lie, again, on the same system, and amalgamation would not improve the matter.

Mr. Sri Prakasa: On a point of personal explanation, Sir. . . .

The Honourable Sir Muhammad Zafrullah Khan: I am afraid, I cannot give way.

Mr. Sri Prakasa: Not even on a point of personal explanation? Then please yourself.

The Honourable Sir Muhammad Zafrullah Khan: Then, my Honourable friend said that there was no uniformity in food and the complaint was that the food was not good. That again relates to one system, and a State-managed system at that, and I fail to see how amalgamation would help. All that I wanted to point out was that instances have been put forward.—I have taken them from the speech of the Honourable Member from Benares,—which have nothing to do with the matter under discussion. The point is a simple one, if I may say so, and it is this; whether amalgamation of the different railway systems into a smaller number of groups is or is not feasible, that is to say, whether it would or would not lead to appreciable economics and possible improvements in some respects.

Mr. Sri Prakasa: And uniformity.

The Honourable Sir Muhammad Zafrullah Khan: Yes, and uniformity in some matters which would otherwise not perhaps be attained.

Mr. Sri Prakasa: That is what I was aiming at.

The Honourable Sir Muhammad Zafrullah Khan: I am much obliged to the Honourable Member for his explanation. To the question put in that manner, my reply is that I made it sufficiently clear in my speech on the Resolution relating to the acquisition of the Bengal and North Western Railway and the Madras and Southern Mahratta Railway, that Government are of opinion that the amalgamation of certain railway systems with certain other railway systems would lead to appreciable economies in working expenses and was a feasible proposition, so far as the principle of the thing was concerned, though with regard to the detailed suggestions that have been made there might be a difference of opinion. That remains to be seen when the question is more closely examined. I was rather surprised at the insistence of certain Honourable Members that the mere fact that the headquarters offices of the Eastern Bengal Railway and the East Indian Railway are in close proximity to each other at Calcutta—that that alone is a very good reason for amalgamation of the two systems. I am afraid that argument leaves me unconvinced. All the four big railway systems in England, the Southern Railway, the Great Western Railway, the London Midland and Scottish Railway, and the London and North-Eastern Railway have their headquarters offices in London and yet that has never been treated as an argument for the amalgamation of the four systems. As a matter of fact, entirely different considerations apply to the question—considerations relating to the actual working of the system concerned. Now I have jotted down a sort of rough re-grouping which might be quite feasible. I am not announcing any decision of the Government, not even a tentative decision. As the debate has proceeded, I have been thinking along the lines that I am about to indicate, and I have a feeling that such a scheme of amalgamation might be, at different stages of time, a feasible proposition and might result in appreciable economies. For instance, the broad gauge system of the Bombay, Baroda and Central India might be amalgamated with the Great Indian Peninsula Railway. The Madras and Southern Mahratta and the South Indian Railway, both the broad gauge and the metre gauge, might be run, when it becomes feasible, as one system. The metre gauge portion of the Bengal and North Western Railway and of the Eastern Bengal Railway and the Assam Bengal Railway, might possibly be run as one or as perhaps two systems. To my mind the North Western Railway could not profitably be amalgamated with any other system, as it is being felt, that as it is, it is perhaps about the biggest unit that could be efficiently run as one unit. The East Indian Railway and the broad gauge portion of the Eastern Bengal Railway might be run as one system. The broad gauge portion of the Bengal Nagpur Railway, when the time comes, might be distributed between the East Indian Railway and the Great Indian Peninsula Railway. Then the remaining metre gauge systems might be combined into two systems, one in the centre and the other in the south. In this manner, it is possible that four or five broad gauge groups and two or three metre gauge groups may be formed. It is not necessary for me to go into the various points that were sought to be made by Honourable Members and to say that I personally agree that certain economies are possible and that certain others are not possible. A discussion of that kind would not be profitable at this stage, so long as we agree on the broad principle that economies would be possible. I do not think that they could possibly be placed as high as one Honourable Member placed them, namely, that amalgamation would give us a saving of about four crores. I am afraid there is a great

deal of disappointment awaiting those Members who think that even when all these systems have been amalgamated, somewhat on the lines that I have suggested, the economies resulting therefrom would be as large as four crores of rupees each year. The House will realise that one of the main difficulties in the way of amalgamation is this. In almost every one of these groups there is the question of the amalgamation of some State-managed railway with a portion or with the whole of a Company-managed railway, so that we are brought up again against the programme of acquisition of Company-managed railways. Honourable Members are already aware of the dates on which the different contracts fall in, and some of the difficulties were discussed when we were discussing the question of the acquisition of the Bengal and North Western and the Madras and Southern Mahratta Railways. I should imagine, again I am rather thinking aloud on this part of the case than anticipating the decision of Government, because Government have come to no decision with regard to this matter, that possibly the easiest case, which has fewer difficulties in the way than any other of the re-groupings I have mentioned, is that of the amalgamation of the broad gauge of the Bombay, Baroda and Central India with the Great Indian Peninsula, and provided that one or other of the alternatives that I mentioned in connection with the Madras and Southern Mahratta and the South Indian Railways became possible of adoption the amalgamation of those two systems, again, would be a comparatively simple proposition. Other schemes have a good many difficulties in the way. Honourable Members will realise that all these schemes, apart from other difficulties, involve switching over from one system of management to another and transferring large numbers of staffs from Company-management to State-management, and these adjustments would in themselves require a great deal of time to be carried through smoothly. I think, as I have indicated, there is no difference of opinion between the various sections of the House and Government on the main principle. The only question is the feasibility of the different schemes and the question of time table. I am fully aware of the feeling of the House with regard to the acquisition of Company-managed railways. That was made quite clear on the last occasion when this question was debated and on that I have nothing to add to what I said on that occasion.

Mr. Deputy President (Mr. Akhil Chandra Datta). The question is:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was adopted.

Paucity of Muslims in the Services of the Madras and Southern Mahratta Railway and the South Indian Railway.

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris. Mohamadan): Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

I am sure that we, the South Indian Muslims, are very much obliged to you, Sir, and to the Members of the Independent Party for giving us this opportunity to ventilate our grievances on the floor of this Honourable House in the matter of finding employment in the Railway systems

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operating in our part of the country. My friends on the Congress Benches know me sufficiently not to consider me a communalist. Permit me, Sir, to declare my firm conviction that it is certainly no communalism to claim our due share in the employments of various branches of the services in our country. True nationalism, in my view, exists in raising the level of all sections of the population. I am only trying to perform my share of this duty. I do not wish to encroach upon the very valuable time of this House with any further observations by way of a preface. I will, therefore, plunge into my subject.

I have modestly put down the subject for discussion as "the paucity of Muslims in the services of the Madras and Southern Mahratta Railway and the South Indian Railway". Instead of saying "the paucity of Muslims" I could very well have said "the total absence of Muslims in these Railway services". I will presently satisfy the House that this is no exaggeration. Sir, in answer to question No 217 put by me in this House, I was referred by the Honourable the Railway Member to Appendix F of the Report of the Railway Board for 1934-35 to find out the number of Muslims employed in the officers ranks in the Madras and Southern Mahratta Railway. What do I find there. I am sure that the Honourable Members who hail from Northern India will be astonished to hear the following figures showing the position of Muslims in the services of these two Railway systems. I am giving the figures for 1935 only. The year 1934 was worse in this respect. In the Agency Department, out of a total of five employed by the Madras and Southern Mahratta and seven by the South Indian Railways, Muslims are nil. In the Account Department out of a total number of 11 employed by the Madras and Southern Mahratta and ten by the South Indian Railways, Muslims are nil. In the Engineering Department out of a total of 44 and 40 employed by the Madras and Southern Mahratta and South Indian Railways, respectively, Muslims are nil. In the Transport Department, out of the total of 32 in the Madras and Southern Mahratta and 29 in South Indian Railways, Muslims are nil in Madras and Southern Mahratta and one Muslim in the South Indian Railway. In the Commercial Department in which the South Indian Railway employed ten persons, Muslims are nil. In the Mechanical Engineering Department where Madras and Southern Mahratta employed 24 and South Indian Railway 21, Muslims are nil. In the Stores Department, total employed by Madras and Southern Mahratta eight and South Indian Railway seven, Muslims are nil. Other departments total employed by Madras and Southern Mahratta Railway eight and South Indian Railway eight, Muslims are nil. In short out of a total number of 139 gazetted officers in the Madras and Southern Mahratta there is not a single Muhaminadan employed; and out of the total number of 132 gazetted officers in the South Indian Railway, two are Muslims.

In the words of the Honourable the Commerce Member, "Government have fixed 25 per cent. for Muslims in direct recruitment to 'superior' Railway services on the Madras and Southern Mahratta Railway" and presumably on the South Indian Railway also. But the present percentage of Muslims in these Railways is Madras and Southern Mahratta nil, South Indian Railway 1.5 per cent.

Now, as regards subordinates drawing Rs. 250 or over per mensem or on a scale of pay rising to Rs. 250 or over per mensem, the figures are as astounding as those of gazetted officers. I will not tire the House by quoting figures for each department separately. I will content myself by observing that out of the total number of 309 such officers in the Madras and Southern Mahratta not a single one is a Mussulman while in the South Indian Railway out of a total number of 289 there are five Mussulmans. The percentage is nil in the case of the Madras and Southern Mahratta and 1.7 per cent. in the case of the South Indian Railway.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Sir, I am sure that even the most ultra-nationalist will concede that these figures justify my cut motion and that something has to be done and done immediately in the matter. As I have said above the percentage fixed by the Government for Muslim recruitment is 25. But I am afraid even Dr Ziauddin may fail to tell us in how many long years the Muslims will obtain this 25 per cent. in the services of these two Railways, even if these Railways were to begin honestly today to put into effect the famous Home Department Resolution. But we, in South India, know what is being done there. The Home Department Resolution was issued in July, 1934. The figures that I have quoted are up to the end of March, 1935. How many new people were recruited in these two Railways and how many among these recruits were Muslims? While in the South Indian Railway there was one fresh recruitment of a Mussalman in the gazetted ranks and there has been a decrease from six to five in the rank of those receiving Rs. 250 and above, the Madras and Southern Mahratta has not recruited a single Muslim. This is not all I have heard of cases of vacancies in the Agency Department, Transportation Department and Commercial Department, which do not require high academic qualifications, being advertised for non-Muslims and vacancies in the Loco. Branch of the Engineering Department being reserved for Muslims, the good people responsible for such reservation being well aware that candidates with qualifications required for such jobs are almost non-existent in the Muslim community. There is further the case of a Muslim from Northern India being recruited and given orders to join service as a gazetted officer in the Stores Department of the South Indian Railway and the orders were suddenly cancelled. The Honourable Maulvi Syed Murtuza Sahib knows the case full well and I hope he will have an opportunity of explaining it to the House. Now, I come to the subordinate services. I do not think that the station masters and the clerks form even one per cent. on these railways. A considerable portion of the South Indian Railway runs through Malabar. Not a single Muhammadan inhabitant of this District, known as Moplahs, is employed even as a station master. I remember there were two Moplah clerks in the South Indian Railway a few years ago but I do not know if they are still there. This out of, perhaps, thousands of clerks! It is true, Sir, that we in the South took to English education very late. But, due to the efforts of our revered leaders, we awakened to our position, in the early part of this century, with the result that we have now a great number of educated young men coming out of their colleges. The question of finding employment for them has become very acute. So much so that, due to the scarcity of openings for their employment, the progress of education in the Muhammadan community in the

[Mr. H. A. Sathar H. Essak Sait.]

South is in danger of receiving a set-back. This is a danger—and let me assure my Honourable friends that this is a real danger—which has to be considered very seriously. It is cold consolation for us that in a far future date we will reach the percentage allotted to us in these services. The distress among our educated young men is reaching a dangerous stage. Our distance from the seat of the Central Government precludes our receiving such attention as our problems deserve. It is very seldom that our grievances get a chance of being heard even in this Honourable House. Feeble as my voice is, Sir, let me avail myself of this opportunity to make an earnest appeal to the Honourable the Railway Member, as representing one of the biggest agencies for employing our young men, to consider whether he may not go a step further beyond the Home Department Resolution and try and devise means to so arrange recruitment on these two Railway lines that the pace towards the goal of twenty-five per cent. is accelerated by stipulating that, until that goal is reached, the percentage of new recruitment of Muslims to these services will be at least twice as much as is now stipulated. Sir, the figures that I have quoted above do surely justify any degree of censure on the Government for allowing such neglect in the case of Muslims in the South, but let me make it perfectly clear that my object in moving this cut is not to censure the Government but only to call their attention to this very serious situation in South India and thereby to appeal for sympathetic action on the lines suggested.

Sir, in that spirit I move this cut and I request my Honourable friend to accept it in that spirit.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved.

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Maulana Shaukat Ali (Cities of the United Provinces, Muhammadan Urban): Sir, I had no intention to speak on this motion for the simple reason that I knew nothing about the railway administration, and all the advice that I wanted to give to the Honourable Member, I gave on the first day. I want to see how he is going to meet this deficit. If he can save four and a half crores this year or something near that, I shall congratulate him and his Department on the fact; if he does not do so, I shall blame the whole Department. (Laughter.) I have no right to inflict a speech on a subject which I know nothing about, but my friend from Malabar, Haji Abdul Sathar Sait, asked me to support him. Though I love Malabar, and all connected with Malabar, I would not have accepted his request if I had not something to say in the matter before the House.

Sir, I do not mind confessing that I am a communalist, and that I have always been proud of being a Muslim communalist.

An Honourable Member: Are you a communalist?

Maulana Shaukat Ali: Yes, I am a communalist. But, Sir, in regard to this matter of paucity of Muslims in the services in the South, I have decided that if there was any question dealing with minorities, whether they be Hindus, Sikhs or Christians, if any of them asks for my help, I shall be at their disposal and do my best for their cause.

(Hear, hear.) If there were any question in this House concerning other communities—Sikhs, Parsis and other minorities—we Moslems must lend our valuable support and see that they receive their due share. Similarly, I want my friend, Professor Ranga, here, who is a nationalist, to take up the cause of Muslims in the South and see that they get satisfaction in their demands and have their grievances removed. In the North, I have got a brother communalist, Bhai Parmanand (Laughter): and if there is any disparity, if there is any injustice to the Muslims anywhere in the North, I hope Bhai Parmanand will fight for the Muslims to see that there is no wrong done to them. And to see that there is nothing wrong done against the Hindus and the Sikhs, let them come to me and I will fight for their just rights.

My friend with the longer beard (Laughter). Sardar Sant Singh, has suggested a novel settlement of our unfortunate quarrels in the Punjab. He suggests that, within three months' time, I must allow my beard to grow to the size of his, so that we could get an equal grip, and then, with your permission, Sir, we will have a fair fight in this arena of the Assembly. This will be a very interesting fight, and, I am sure, the House will enjoy it. If the House approves of a settlement on the lines suggested that in case he beats me, the Moslems lose their case about Shahidganj, and if I beat him, the Sikhs cheerfully accede to the Moslem demand. Then, we could settle our affairs happily, and I think India will be happier and our administration cheaper and better. Therefore, Sir, I support the request of my brother from Malabar and leave the whole question of Moslem grievance in the railway services in the South and in the North in the hands of the nationalist Professor Ranga on one side and my brother communalist Bhai Parmanand in the North. This would prove a very useful and practical solution of our communal problem.

Maulvi Syed Murtuza Sahib Bahadur (South Madras: Muhammadan): Sir, I have great pleasure in supporting the motion before the House which was so ably moved by my Honourable friend, Mr. Abdus Sattar Essak Sait. Sir, he has furnished to the House facts and figures, and proved to the hilt that glaring injustice is being done in the case of Muslims in South India, particularly by the two Company-managed railways, *i.e.*, the Madras and Southern Mahratta and South Indian Railways. Sir, I should fail in my duty if I, in dealing with the South Indian Railway, which is now trying to mend matters, did not mention that they have issued a circular to the effect that Muslims should be recruited on the same principle as laid down in the communal G. O. of the Madras Government. So, recruitment is being made there on that principle; but even in that company, very recently, a great injustice has been done. I have received intimation from a reliable source that a certain vacancy of assistant superintendentship in the Stores Department occurred. As the House is aware, that is of the officers' grade. It was advertised and applications were invited from the Muslim community, and the qualifications laid down was that the candidates should have passed the mechanical engineering examination. About half a dozen of them were asked to appear before the Staff Selection Board which selects candidates for appointment. Four or five highly qualified Muslims appeared before the Staff Selection Board. Two or three of them had English qualifications. The Board was fully satisfied with the qualifications of one of them; if I remember correctly, his name is Abdur Rahim and he was from Northern India.

Mr. S. Satyamurti: A great name!

Maulvi Syed Murtuza Sahib Bahadur: Sir, as has been rightly observed by my Honourable friend, Mr. Satyamurti, that is a name which carries a great regard with it. (Loud Applause.) Sir, he was selected and he was ordered to join duty on a particular date. If my memory does not fail me, he had to take charge of his new appointment on the 7th February, 1936. He came all the way from Trichinopoly to the United Provinces to take his people over there. Just when he was making himself ready to start, he got an order from the railway authorities informing him that his selection was cancelled and that there was, therefore, no necessity for him to proceed to that place. Now, to add to the misfortunes of this young man, I am told that that appointment has now been advertised again and that, according to the fresh advertisement, it should go to a non-Muslim. As has been pointed out by my Honourable friend, Mr. Abdus Sattar Essak Sait, out of 132 appointments, there are only two Muslims and yet this glaring injustice has been done in that company which is presided over by an Agent who is a right-thinking gentleman and who, so far as I know, has been acting up to the spirit and letter of the circular issued by his predecessor that, out of 12 appointments, two should go to Muslims, two to Christians, four to non-Brahman Hindus, one to Anglo-Indians, and so on.

Mr. S. Satyamurti: None to Brahmans.

Maulvi Syed Murtuza Sahib Bahadur: The rest to the Brahmans. I may assure the Honourable Member of the Brahman community that they cannot be ignored by anybody. Before concluding, I have to state that I support the motion of my Honourable friend in the same spirit in which it was moved by him. I do not propose to censure the Government for their negligence so far. In the case of the State-managed railways, generally, they go into all these matters, though not very deeply, at least to a certain extent. But so far as Company-managed railways are concerned, they treat the question of Muslim appointments in a step-motherly way. I hope that that kind of affair will not continue, and the Honourable Member in charge will see that justice is done in the case of this important minority community.

I have only to say one word. So far as these two railways are concerned, Madras and Trichinopoly happen to be the headquarters. These two places are well known educational centres. In Madras, we have got half a dozen well conducted first grade colleges. So far as Trichinopoly is concerned, it is next to Madras, and it was once the seat of Muslim Government. There are three first grade colleges there. One is a college purely intended for women. That also happens to be a first grade college imparting education up to the B. A. Standard. There is a Government High School there. We can get any number of qualified Muslims in both the places. We do not want appointments to unqualified Muslims. When qualified Muslims are available and when in the case I have pointed out an England returned gentleman, satisfying all the conditions set forth in the notification, was selected for a certain appointment, I do not see any justification as to why that selection was cancelled and some other advertisement has been given to the Press calling for applicants from non-Muslims. This kind of affairs cannot be

tolerated by this House. I do hope that the head of the Railway Department would go into these matters and see that things are rectified to our satisfaction and to the satisfaction of the House.

Mr. M. S. Aney: Sir, I rise to support the cut. The facts which have been placed before the House by my Honourable friends are in themselves furnishing a very good ground for the case being considered sympathetically and in a spirit of justice by the Honourable Member in charge. He has given us details of appointments in all the important departments in the higher superior services on these two railways, and the number of Muslims is practically zero on almost all the lines. That certainly is indicative of a certain policy being pursued up to this time which, after the announcement that was made in this House some time before, cannot continue in fairness and justice to that community. Personally, Sir, I am entirely opposed to any kind of reservation on communal basis to any community in the services. That is my personal opinion. But I am not standing here to vindicate that opinion in view of the absurd position already taken up by the Government of India in regard to this matter. But however, apart from that, having taken up that position, I expect that the Government should work it up in a spirit of equity and justice to all the communities concerned. In the meantime, I would also like the Honourable Member in charge to explain to this House, at some length or at such length as he can possibly manage to do within the time limit before him, as to what the policy of the Government is in regard to the reservation of 25 per cent. for Muslims and a certain other percentage with regard to certain other minority communities in the railway services. Is that 25 per cent. going to be calculated by taking up the total number of servants employed over all the railway lines in India in all the Departments, or is it the intention that in each Province and in every Department the number of employees of the particular community should reach 25 per cent. I want the Honourable Member to explain that point. If it is to be worked up in the latter way, then it will have to be seen that, in the case of every Department and each line, an estimate will have to be made every year to find out what percentage of a certain community is already present in that line and what is the deficit, and how that deficit is to be made up according to some plan prescribed in regard to the recruitment of that community. Otherwise, it may so happen that in the case of certain lines, the actual percentage of that community may exceed, and, in the case of others lines, it may fall short. As an alternative, Government may pursue a policy that every line should have a definite percentage allotted to it, and all lines put together must show the percentage announced. What is the policy which the Government want to follow in the matter? For example, in the North Western Railway, do the Government want to maintain only 25 per cent? Do they want that, in the Great Indian Peninsula Railway also, it should be 25 per cent., in the East Indian Railway, there should be the same percentage, and so on, in each and every other railway? Or do the Government want that all railways should be put together and 25 per cent. should be arrived at in the aggregate? Do the Government want, say, 50 or more per cent. in the North Western Railway, five per cent. or more on the South Indian Railway and a different percentage on some other railway, but in the aggregate it should be 25 per cent. for all railways put together? The House will be interested to have a clear explanation and enunciation of policy on this point. With these observations, so far as the particular case is concerned, I unhesitatingly give my support to it.

The Honourable Sir Muhammad Zafrullah Khan: Sir, the orders of the Government of India on the subject and the instructions issued by the Home Department for giving effect to those orders have been published. But as the Honourable Member, Mr. Aney, has put that question to me, I shall very briefly explain the principles upon which recruitment to railway services takes place so as to secure a fair share of such recruitment for minority communities. The orders issued are on the principle that, out of 33 1/3 per cent. of the services reserved for all minority communities in India, 25 per cent. might be secured for Muslims and 8 1/3 per cent. for other minority communities, Mr. Aney wants to know how is it proposed that these proportions shall be secured. Is it that when prescribing this percentage on the railways we hope that, at the end of the year, we might find, as a result of our exhortations, that 25 per cent. Muslims and 1/3 per cent. other minority communities had been recruited on all the systems or have we laid down any particular proportions for the different systems of railways? These orders, I might explain, apply to recruitment to the subordinate ranks of the different railways. And taking into account the average recruitment on the different railway systems, that is to say, what the numbers had been in the past, the decision was taken that, if a percentage of Muslim recruitment was fixed on certain railways, and the other railways were asked to continue to recruit in accordance with the percentages which they were already recruiting, an over-all percentage of 25 would be secured. Let me cite some of the percentages. For instance, with regard to the North Western Railway, which, as Honourable Members are aware, serves Sind, Baluchistan, the North-West Frontier Province, Punjab and a small portion of the Meerut Division in the United Provinces, the orders were that in fresh recruitments,—and these orders apply only to fresh direct recruitments and not to promotions,—60 per cent. of the posts should be reserved for Muslims, which is less than their proportion in the population of the areas served by the North Western Railway. It was not, however, necessarily with reference to population ratios that these ratios were fixed. Again, the East Indian Railway were recruiting somewhere near 19 per cent. of Muslims on their railway, and it was found desirable not to disturb that proportion, and they were told to endeavour to keep up to that percentage in future. On the Eastern Bengal Railway, 45 per cent. has been reserved for Muslims, and, on the Assam Bengal Railway, 35 per cent. If the other railways had continued to recruit according to the proportions which they had followed previously, an all-India percentage of 25 per cent. for the Muslims would have been secured. This matter was settled in principle by the Government of India early in July, 1934.

Maulana Shaukat Ali: What is the percentage for the Great Indian Peninsula and Bombay, Baroda and Central India Railways? What has been sanctioned now?

The Honourable Sir Muhammad Zafrullah Khan: There is no question of a fresh sanction; they were merely asked to continue in accordance with their previous proportions. On the Great Indian Peninsula Railway, I think, it is 10 per cent., and, on the Bombay, Baroda and Central India Railway, it is 12 per cent.

Owing to certain reasons and certain adjustments that had to be made,—for instance, these percentages themselves had to be worked out; though

the main principle of 25 per cent. Muslim recruitment was settled early in July, 1934, detailed orders were not issued to the Agents till the end of 1934. Therefore, with regard to figures that the Honourable the Mover of this cut has read out up to the end of March, 1935, these two railways really had only had three months up to that time within which to make a move. Now, I recognise that there is a great paucity of Muslims on these two railways, particularly in the higher appointments,—officers as well as in the higher subordinate appointments; though in justice to those railways I might read out that the figures of total Muslim employees including inferior employees and servants is this: Out of a total of 49,000 on the Madras and Southern Mahratta Railway, 5,511 are Muslims out of whom 882 are subordinates; on the South Indian Railway, out of 36,000 total employees, 1,996 are Muslims, out of whom 536 are subordinates. Now, in the past, the position has been extremely unsatisfactory on these two railways, and there has not yet been time enough to improve the position. I was glad to hear Maulvi Murtuza Sahib Bahadur say that at least the Agent of the South Indian Railway was anxious to rectify the position. When these orders were issued to the South Indian Railway, they proposed that they should be left to follow the proportions that the Madras Government had laid down for recruitment to the Madras services for the Muslims, and they sent up the variations that they proposed. They said that they were prepared to recruit 16 $\frac{2}{3}$ per cent. Muslims to the superior as well as to the subordinate services as against 25 per cent. and 11 per cent. on the Madras and Southern Mahratta Railway. The Railway Board went into the matter and made a recommendation to Government, and Government were satisfied that the alternative proposed by the South Indian Railway was, on the whole, fair; and, having regard to the percentages laid down by the Madras Government, perhaps it would be easier to leave the South Indian Railway to follow those percentages. So that, with regard to these two railways, the percentages finally are 25 per cent. and 16 $\frac{2}{3}$ per cent. with regard to superior services and 11 per cent. and 16 $\frac{2}{3}$ per cent. with regard to subordinates. And the method of enforcing these percentages is this. At the end of each year, the figures are examined. If it is found that with regard to the fresh recruitment that has taken place during the course of that year,—and that is the only kind of recruitment to which these orders apply, as I have explained,—there has been a deficiency with regard to any community, whether Muslims or Anglo-Indians or Indian-Christians or anybody else, then that deficiency is to be carried into the account for the next year, and instructions are issued to the particular railway pointing out the deficiency and drawing their attention to the fact that they have, during the course of the next year, to make up the deficiency. Now, I quite realise the position that, if this went on from year to year for a long number of years, the deficiencies with regard to one particular community might go on being piled up on paper and no actual relief may be given to that community. But that is not so. The intention is that if, in the following year, the deficiency of one particular community is not made up, or, at any rate, a tendency is not observed that a serious effort is being made to make up that deficiency, then supplementary instructions may have to be issued. But that is a case which I hope will not arise, because I do not think there is a tendency on the part of any particular railway to flout the orders and directions issued to them in this respect. With regard to these two railways, therefore, on examination of the figures, such instructions as may be necessary, drawing

[Sir Muhammad Zafrullah Khan.]

attention to their default, if any becomes apparent in this respect, shall be issued to them; and the Railway Board shall insist that they must carry out, not only the orders of the Government, but what is, in the case of the South Indian Railway, a solution suggested by themselves to the Railway Board and accepted by the Railway Board and Government. It was remarked by the Honourable the Mover of this cut that people from his province were not being employed in sufficiently large numbers; that is to say, Muslims from different parts of Madras. Though ordinarily I would desire with regard to each community that the recruitment to particular railways should be from the areas which those railways serve.

Sardar Mangal Singh (East Punjab: Sikh): Have Government fixed similar percentages for other communities also?

The Honourable Sir Muhammad Zafrullah Khan: I have explained what Government have done. As I was saying, though I consider that for many reasons it is desirable that people recruited for the railways should come from the areas which those railways serve, and, therefore, every effort should be made to get people from those areas, Honourable Members will recognise that it is not desirable to lay down a rigid rule that they must recruit from certain areas only. Such a rule would lead to a good many complications. And, therefore, though I hope that the percentages of the various communities will be made up on the different railways from the areas which those railways serve, they may have occasionally to go out of those areas to make up those percentages. And, so long as I am satisfied that they have not done so purposely in order to shut out qualified men in the areas which they serve, I shall not be disposed to quarrel with them over that. I hope the position of Government in this matter is quite clear and that the Honourable the Mover of the cut will be satisfied that every possible effort will be made to see that these instructions are carried into effect on these two railways.

Mr. H. A. Sathar H. Essak Sait: Sir, on a point of information, I did not interrupt the Honourable Member, but he spoke about some hundreds of subordinates on the South Indian Railway and the Madras and Southern Mahratta Railway. I should like to know who these subordinates are. Are they subordinates drawing Rs. 250 and above or some other subordinates?

The Honourable Sir Muhammad Zafrullah Khan: This includes all, from the lowest which may be Rs. 30. These are the total numbers of subordinates on these two railways. As I have said, Government are conscious of the fact that more particularly in the higher ranks and in the officers' ranks there is a paucity of Muslims on these two railways, but Honourable Members will recognise that the orders referred to by me apply only to fresh recruitments, and fresh recruitments to a very large extent on the railways now take place only in the lowest ranks. Therefore, no interference is permissible with promotions which must continue to be made on merit and seniority.

Bhai Parma Nand (West Punjab: Non-Muhammadan): What is the percentage fixed on these railways?

The Honourable Sir Muhammad Zafrullah Khan: I have said that, on the Madras and Southern Mahratta Railway, so far as the subordinate services are concerned, the percentage fixed is 11 per cent., and, on the South Indian Railway 16 $\frac{2}{3}$ per cent.

Mr. H. A. Sathar H. Essak Sait: In answer to my question, some time back, the Honourable Member said that the percentage fixed was 25.

The Honourable Sir Muhammad Zafrullah Khan: 25 per cent. for superior services, and 11 per cent. for the subordinate services on the Madras and Southern Mahratta Railway, and 16 $\frac{2}{3}$ per cent. for superior as well as for subordinate services on the South Indian Railway.

Mr. President (The Honourable Sir Abdur Rahim): Does the Honourable Member wish to press his motion to vote?

Mr. H. A. Sathar H. Essak Sait: I am satisfied with the assurance of the Honourable Member. Sir, I beg to withdraw my motion.

The motion was, by leave of the Assembly, withdrawn.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 27th February, 1936.

LEGISLATIVE ASSEMBLY.

Thursday, 27th February, 1936.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

QUESTIONS AND ANSWERS.

TRANSVAAL LAND TENURE AMENDMENT BILL.

852. *Pandit Govind Ballabh Pant: (a) Will Government be pleased to lay on the table a copy of the Transvaal Land Tenure Amendment Bill, 1936?

(b) Have Government made any representations to the Government of Transvaal in this connection? If so, will they place a copy of the same on the table?

(c) Against how many persons was the License Act Ordinance applied in Transvaal last year, and how many of these were Indians?

Sir Girja Shankar Bajpai: (a) A copy of the Transvaal Asiatic Land Tenure Amendment Bill, 1936, has been placed in the Library of the House.

(b) Instructions have been issued to the Agent-General for India in the Union of South Africa as to the representations that he should make to the Union Government in the matter, but Government regret that they are unable to lay a copy of the instructions on the table of the House.

(c) The Honourable Member probably refers to the alleged refusal of licenses to Indians in the Transvaal. As I informed the House in replying to Mr. Muthurunga Mudaliar's question No. 341 on the 12th February, the Agent-General in Africa has been asked for a report.

LOW PROPORTION OF INDIAN FEMALES TO MALES IN THE FEDERATED MALAYA STATES.

853. *Pandit Govind Ballabh Pant: (a) Is it a fact that the proportion of Indian females to males in the Federated Malaya States is very low? Have there been numerous complaints of domestic quarrels, indicating certain degree of moral laxity on this account?

(b) Has Malaya been so far exempted from the operation of Rule 23 of the Indian Registration Rule?

(c) Did the period of exemption terminate at the end of 1935?

(d) Do Government propose to discontinue the exemption and extend the operation of the said rule to Malaya?

Sir Girja Shankar Bajpai: (a) In 1934 the sex-ratio among Indians in Malaya was roughly 2.14 males to one female. 735 cases of domestic quarrels and separation of families were dealt with in Labour Offices in that year.

(b) and (c). Yes, it was extended up to the 31st January, 1936.

(d) The matter is under consideration.

DECREASE IN THE NUMBER OF INDIANS IN KENYA.

854. ***Pandit Govind Ballabh Pant:** Is it a fact that the number of Indians in Kenya has gone down appreciably during the last five years?

Sir Girja Shankar Bajpai: The number of Indians in Kenya at the end of 1930 was estimated at 89,594, and at the end of 1934, 34,955.

DEMAND OF INDIANS FOR ELECTION IN FIJI.

855. ***Pandit Govind Ballabh Pant:** Have Government made any representation recently regarding the Indians' demand for election, against which the Government of Fiji is said to be conducting an active propaganda?

Sir Girja Shankar Bajpai: The Honourable Member presumably refers to the proposed substitution of nomination for election to the Fiji Legislative Council. His attention is invited to the reply given to part (c) of Mr. Satyamurti's starred question No. 100 on the 6th February, 1936.

ESTABLISHMENT OF AN OVERSEAS DEPARTMENT TO LOOK AFTER THE INTERESTS OF INDIANS OVERSEAS.

856. ***Pandit Govind Ballabh Pant:** (a) Is it a fact that the disabilities and difficulties of the Indians overseas are continuously increasing in various countries?

(b) Have Government arrived at any decision regarding the establishment of a separate Overseas Department to look after the interests of the Indians Overseas?

(c) In view of the recent developments, are Government prepared to set up this department without any further delay?

Sir Girja Shankar Bajpai: (a) Apart from recent events in Zanzibar and Kenya which Honourable Member knows, Government are not aware of any change in the direction mentioned by the Honourable Member.

(b) and (c). The attention of the Honourable Member is invited to the reply given by me on the 25th February, 1936, to parts (b), (c) and (d) of Mr. Akhil Chandra Datta's question No. 797.

REPRESENTATION OF INDIA ON THE IMPERIAL SHIPPING COMMITTEE.

857. ***Mr. Sami Vencatachalam Chetty:** (a) Will Government be pleased to state the composition and constitution of the Imperial Shipping Committee and to give the names of its present members?

(b) Will Government be pleased to state if India is represented on the Imperial Shipping Committee and if so, what are the names of India's representatives on that Committee?

(c) If India is not represented on the Imperial Shipping Committee, do Government propose to take any action for securing such representation?

(d) Will Government be pleased to state the qualifications required of a member, which will enable him to secure a seat on the Imperial Shipping Committee?

(e) Do Government intend to take any action to secure an Indian's nomination on the Imperial Shipping Committee, if he satisfies the requirements of a member on that Committee?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (d). The Imperial Shipping Committee consists of a Chairman and 16 members, *viz.*, one member nominated by the Governments of each of the following countries—United Kingdom, Canada, Australia, Union of South Africa, New Zealand, Irish Free State, Newfoundland, Southern Rhodesia and India; one member nominated by the Secretary of State for the Colonies; two members experienced in shipping; three members experienced in commerce and one member experienced in Civil Aviation appointed by the Committee after consultation with all the Governments through their representatives on the Committee. In addition, there is a panel of six ship-owners also to be appointed after consultation with the Governments through their representatives on the Committee from whom the Chairman may select substitutes for the two ship-owner members in respect of cases coming before the Committee in which these members are interested. The formal appointment of the representatives of Overseas Governments on the Committee is to be made by those Governments. The five non-official members are appointed by the Committee themselves, purely as experts and not as representatives of any particular part of the Empire. Apart from their being persons experienced in shipping and commerce, one of the qualifications required of them is that they must be resident in the United Kingdom.

According to a Report issued by the Committee in August, 1935, its present members are:

The Right Honourable Sir Halford J. Mackinder (Chairman).

Sir Frederick W. Leith-Ross, K.C.B., K.C.M.G., United Kingdom.

The Honourable G. Howard Ferguson, K.C., (High Commissioner), Canada.

The Right Honourable S. M. Bruce, C.H., M.C., (High Commissioner), Australia.

Sir James Parr, K.C.M.G., (High Commissioner), New Zealand.

Mr. H. T. Andrews, South Africa.

Mr. J. W. Dulanty, C.B., C.B.E., (High Commissioner), Irish Free State

Sir Bhupendra Nath Mitra, K.C.S.I., K.C.I.E., C.B.E., (High Commissioner), India.

Mr. S. M. Ianigan O'Keeffe (High Commissioner), Southern Rhodesia.

Sir John E. Shuckburgh, K.C.M.G., C.B., Colonies and Protectorates.

Mr. W. L. Hichens,

Sir Kenneth Lee,

Mr. D. T. Lewis,

The Honourable Alexander Shaw,

Mr. T. Harrison Hughes,

} being persons experienced in
} shipping and commerce.

Lieutenant-Colonel F. C. Shelmerdine, C.I.E., O.B.E., representative of Civil Aviation.

NOTE.—The seat of Newfoundland on the Committee was at the time vacant.

Panel of Ship-owners—

Mr. Robertson F. Gibb.

Captain James Gillies.

Mr. J. R. Hobhouse.

Mr. G. J. Innes.

Mr. W. Leslie Runciman.

Sir Vernon Thomson, K.B.E.

(b) Yes. As mentioned above the official representative of the Government of India is Sir Bhupendra Nath Mitra, High Commissioner for India..

(c) Does not arise.

(e) The High Commissioner for India has been asked to see that any claims that an Indian non-official may possess as an expert are not overlooked when next the question of appointing an expert member on the Committee arises.

Pandit Lakshmi Kanta Maitra: May I know if, in appointing this Indian representative, the Indian commercial interests are consulted?

The Honourable Sir Muhammad Zafrullah Khan: The High Commissioner represents India on behalf of the Government of India. If the Honourable Member means whether the Government of India consulted commercial interests, I am not specifically aware, but I should imagine no.

Mr. Sami Vencatachelam Chetty: When was the last communication made to the High Commissioner?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of the question to specify the date to the Honourable Member.

Pandit Lakshmi Kanta Maitra: When does the term of this committee going to expire?

The Honourable Sir Muhammad Zafrullah Khan: I would require notice of that also.

Mr. Sami Vencatachelam Chetty: Will the Honourable Member again remind the High Commissioner?

The Honourable Sir Muhammad Zafrullah Khan: I do not think it is necessary to go on reminding the High Commissioner about this matter: he has been reminded once about it.

Mr. Sami Vencatachelam Chetty: Since the last communication to the High Commissioner, was any other expert on behalf of commercial interests in any other country nominated to this committee?

The Honourable Sir Muhammad Zafrullah Khan: As I have explained, nobody is nominated to the committee on behalf of commercial interests of any particular country.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member in a position to tell us what is the usual term of members of this committee?

The Honourable Sir Muhammad Zafrullah Khan: As I have said, I would require notice of that.

ORGANISATION OF A UNIVERSITY TRAINING CORPS BY THE MADRAS UNIVERSITY.

858. *Prof. N. G. Ranga: (a) Are Government aware of the fact:

(i) that the Madras University has organised its own University Training Corps; and

(ii) that it receives an annual grant from Government?

(b) If the answer to part (a) (ii) be in the affirmative, what is the amount?

(c) What are the respective shares of the cost of the Corps borne by the Madras University and Government?

(d) Are Government aware that the Madras University has resolved to organise these Corps in several mofussil places also?

(e) If the answer to part (d) be in the affirmative, in which places is it proposed to organise these Corps, and what assistance has been asked for from Government?

(f) What do Government propose to do regarding those proposals?

Mr. G. R. F. Tottenham: (a), (b) and (c). The Honourable Member has been misinformed. University Training Corps are not organised by the University concerned, but are everywhere organised by, and maintained at the cost of, Government. The cost of the University Training Corps at Madras this year is about Rs. 94,000.

(d), (e) and (f). The Madras University Training Corps includes a detachment at Trichinopoly, but Government are aware of no proposals for the formation of detachments elsewhere.

Mr. S. Satyamurti: With reference to the answer to clause (d) of the question, have Government heard from the Madras University that they want to extend this Corps in other places besides Trichinopoly, to which my Honourable friend referred?

Mr. G. R. F. Tottenham: No; I have just said that Government are aware of no proposals for the formation of detachments elsewhere: we have heard nothing from them on the subject.

Mr. S. Satyamurti: Have Government had any information from the University as to the expansion of the University Training Corps, in places in which they are already functioning?

Mr. G. R. F. Tottenham: Not directly from the University.

Mr. S. Satyamurti: Have they heard from the Inter-University Board?

Mr. G. R. F. Tottenham: No. I do not think we have had any recent communication from them on the subject: we have reports on these units from the military authorities; occasionally we have communications from the Local Governments.

Mr. T. S. Avinashilingam Chettiar: What is the policy of Government in this matter, whether to extend the University Training Corps or to keep them as they are?

Mr. G. R. F. Tottenham: The policy is to extend these University Training Corps when funds permit and when the formation of such Corps in any particular place is justified.

Mr. T. S. Avinashilingam Chettiar: Does the Honourable Member mean that there are no funds?

(No reply.)

GRANT FOR THE ORGANISATION OF A UNIVERSITY TRAINING CORPS BY THE ANDHRA UNIVERSITY.

859. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact:

(i) that the Andhra University requested Government in 1933 to give it a grant to enable it to start its own Training Corps;

(ii) that it was then turned down owing to want of funds; and

(iii) that the University has again passed in November, 1935 a resolution requesting Government to make a suitable grant?

(b) If the answer to part (a) (iii) be in the affirmative, are Government prepared to make a grant and enable that University to organise its own Corps, like many other Universities?

Mr. G. R. F. Tottenham: (a), (i), (ii) and (iii). Yes.

(b) The resolution in question was received yesterday and will be considered, but there can be no question of allowing the University to organise its own University Training Corps.

Pandit Lakshmi Kanta Maitra: Have all the Universities in India got Training Corps?

Mr. G. R. F. Tottenham: I do not think so.

Mr. S. Satyamurti: What are the criteria by which Government turn down this proposal on account of want of funds? Is there any special grant in the Army Demand for this, or does the Military Department decide from year to year how much to spend on this?

Mr. G. R. F. Tottenham: No; there is a special grant, known as the civil grant, for University Training Corps and the Urban Battalions of the Territorial Force, etc., which has recently been in the neighbourhood of about Rs. 8 lakhs a year.

Mr. S. Satyamurti: Did Government calculate the cost of this Andhra University Training Corps, and what was the cost of that?

Mr. G. R. F. Tottenham: I do not know what the cost was: I would require notice; but, judging from the cost of the Corps at Madras, it would be in the neighbourhood of a lakh of rupees a year.

Mr. S. Satyamurti: Do Government realise that the development of these University Training Corps is necessary for the Indianisation at least of the officer ranks of the Army, and will they, therefore, consider making provision for larger funds for the development of these Training Corps wherever there is a demand for it?

Mr. G. R. F. Tottenham: The assumption on which that question is based is that the University Training Corps do form useful training grounds for future officers of the Army. That, so far, has not been borne out by the facts; comparatively few candidates who come up for the open examination for the Indian Military Academy have taken advantage in the past of the facilities afforded by the existing University Training Corps.

Mr. S. Satyamurti: What is the answer to the second part of my question?

Mr. G. R. F. Tottenham: The answer to the second part is that, no doubt, the possibility will be considered from time to time of providing University Training Corps where they can be justified and when expense permits it.

Mr. S. Satyamurti: Apart from expense, what are the other criteria by which Government decide whether the extension is justified or not?

Mr. G. R. F. Tottenham: Whether a particular University in which a Training Corps is formed shows keenness and efficiency in running its Corps.

Mr. Lalchand Navalrai: Are there any rules laid down for giving grants to Universities for helping them to form their own Corps?

Mr. G. R. F. Tottenham: No, Sir, there are no general rules.

Mr. Lalchand Navalrai: Is there any policy laid down?

Mr. G. R. F. Tottenham: I have just explained what the policy is.

UNEMPLOYMENT AMONG THE HANDLOOM WEAVERS OF SOUTHERN INDIA.

860. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) if they are aware of the widespread and growing unemployment among the hand-loom weavers of Southern India;
- (b) if they have received any representations from the hand-loom weavers of Salem;
- (c) if they have received any report regarding their plight from the District Collector and the Madras Government;
- (d) if so, what the causes are stated to be for that unemployment?

The Honourable Sir Muhammad Zafrullah Khan: Sir, with your permission I propose to answer questions Nos. 860 and 861 together.

The attention of the Honourable Member is invited to the replies given by me on February 12, to Mr. Ananthasayanam Ayyangar's question No. 308 and the questions supplementary thereto, and on February 13, to the short notice question by the same Honourable Member and supplementary questions.

Prof. N. G. Ranga: In view of the fact that Government have themselves admitted that the unemployment among handloom weavers in Southern India is partly due to the competition from mill made cloth, will they consider the desirability of taking the necessary steps to protect the hand woven cloth to some extent from the competition of mill made cloth by adopting measures to restrict the manufacture of certain kinds of cloth below certain counts and reserve its manufacture to handloom weavers?

The Honourable Sir Muhammad Zafrullah Khan: Does the Honourable Member mean placing restrictions on the mill industry?

Prof. N. G. Ranga: Yes, I mean placing restrictions on mill industry so as to permit the handloom weaving industry to make certain kinds of cloth below certain counts which the mills should not be permitted to manufacture?

The Honourable Sir Muhammad Zafrullah Khan: May I draw the Honourable Member's attention to one of my replies to the supplementary questions on the 13th February, last:

"I would suggest that Honourable Members who are interested in that aspect of the question might confer with those Honourable Members of this House who represent the mill industry here, and the suggestions they agree upon jointly when placed before the Government will be duly considered."

Prof. N. G. Ranga: Will Government call for a conference of the representatives of the mill industry as well as those of the handloom weaving industry to see whether any feasible and possible compromise or solution can be arrived at between these two parties?

The Honourable Sir Muhammad Zafrullah Khan: Honourable Members might perhaps first take advantage of the fact that both groups are represented in this House, and they may have a talk in the lobby and see whether they can come to any agreement.

Mr. T. S. Avinashilingam Chettiar: Is it a fact, Sir, that handloom weavers use Japanese yarn?

The Honourable Sir Muhammad Zafrullah Khan: I cannot say.

Mr. M. Ananthasayanam Ayyangar: Have Government considered the desirability of preventing the importation of Japanese grey goods or cloth below 50 counts as that kind of cloth is competing with the handloom industry?

The Honourable Sir Muhamad Zafrullah Khan: I am afraid that would not be permissible under the Protocol between the two countries.

Mr. S. Satyamurti: Are Government actively considering this question in view of the widespread distress to thousands of very poor people in the Madras Presidency, and also in the Bombay Presidency?

The Honourable Sir Muhammad Zafrullah Khan: I answered a large number of supplementary questions by the Honourable Member on the previous occasion. I have got 10 pages of them which show what is actually being done.

Mr. S. Satyamurti: Is anything going to be done quickly?

The Honourable Sir Muhammad Zafrullah Khan: I read out the steps that the Local Government was taking in the matter, and it was hoped that they would answer the purpose to a large extent.

Mr. S. Satyamurti: Will the Government of India do anything in this matter?

Mr. President (The Honourable Sir Abdur Rahim): The Chair does not think that requires an answer. The Honourable Member has already given a full reply.

UNEMPLOYMENT AMONG THE HANDLOOM WEAVERS OF SOUTHERN INDIA.

1861. ***Prof. N. G. Ranga:** (a) Are Government aware of the fact—

- (i) that the imports of Japanese grey shirting cloth have increased enormously during the last two years; and
- (ii) that such imports have specially caused the growing distress of hand-loom weavers of Salem, Conjeevaram, Pedana and other hand-loom weaving centres of the Madras Presidency?

(b) If the answer to part (a) (ii) be in the affirmative, are Government prepared to consider the advisability of taking suitable action to restrict the imports of such Japanese yarn, and other steps to provide employment to the unemployed hand-loom weavers?

CLEANING OF THIRD CLASS CARRIAGES AND LATRINES ON TRAINS RUNNING BETWEEN MADRAS AND CALCUTTA, ETC.

862. ***Prof. N. G. Ranga:** Will Government be pleased to state:

- (a) if they are aware of the fact that the third class carriages and latrines of neither the mail trains running between Madras and Calcutta nor the passenger trains running between Madras and Waltair, are swept and cleaned at even any one of the junctions;
- (b) if they are aware that most of the carriages and almost all the latrines are in a hopelessly dirty and stinking condition on the morning after their departure from the starting stations;

- (c) whether they are aware that neither guards nor the Station Masters are able or willing to get them cleaned, even after being requested, and plead the absence of the sweepers on the platforms or the want of time;
- (d) whether Government are prepared to consider the advisability of issuing strict instructions to see that all the carriages and latrines are properly swept and cleaned at the first junction or watering station reached by every mail or passenger train after a night's journey?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). No.

(d) I am bringing the Honourable Member's suggestion to the notice of the Agents of the Bengal Nagpur and Madras and Southern Mahratta Railways for consideration. I might add that I have had a look into the rules which are quite adequate, but with regard to their actual enforcement, I am drawing the attention of the Agents.

Prof. N. G. Ranga: How are Government in a position to reply to parts (a), (b) and (c) in the negative when actually these inconveniences are daily experienced by the travelling public, because the latrines are always in a dirty and stinking condition?

The Honourable Sir Muhammad Zafrullah Khan: The question was—whether I was aware, and the reply was—I was not aware.

Prof. N. G. Ranga: Will Government consider the desirability.....

Mr. President (The Honourable Sir Abdur Rahim): Order, order. Next question.

ASSISTANCE GIVEN FOR THE EDUCATION OF THE CHILDREN OF THE EASTERN BENGAL RAILWAY EMPLOYEES.

863. ***Dr. P. N. Banerjee:** Will Government please state:

- (a) the number of (i) the European and Anglo-Indian and (ii) the Indian, employees of the Eastern Bengal Railway;
- (b) the kinds of assistance given to each of these classes of employees for the education of their children;
- (c) the exact amount spent for each class under that head;
- (d) the ratio of the amount spent per head on education for (i) the European and Anglo-Indian and (ii) the Indian employees?

The Honourable Sir Muhammad Zafrullah Khan: (a) Available information is contained in Appendix C of Volume II of the Report by the Railway Board on Indian Railways for 1934-35, a copy of which is in the Library of the House.

(b) I would refer the Honourable Member to Appendix I of Mr. Smith's Report on the cost of parental educational assistance on the Eastern Bengal Railway and Rules governing the grant of assistance from railway funds to the employees on State-managed Railways towards the education of their children, copies of which are in the Library of the House.

(c) and (d). The information is not readily available and Government consider that the labour and expense involved in getting it will not be justified by the results to be obtained.

Dr. P. N. Banerjea: In view of the great disparity, will Government consider the desirability of making increased grants for the education of the children of Indian employes?

The Honourable Sir Muhammad Zafrullah Khan: The whole question is being considered, and was, as a matter of fact, considered in the last meeting of the Central Advisory Council, and, under the new rules, there is no discrimination in the matter.

Pandit Lakshmi Kanta Maitra: Does the Honourable Member know that in the year 1934, only Rs. 34 was spent for the education of the children of Indian employes, whereas Rs. 64,000 was spent for the children of Anglo-Indian and European employes?

The Honourable Sir Muhammad Zafrullah Khan: I am not aware of that, but I have explained that the rules, that have recently been considered by the Central Advisory Committee, do not permit any kind of discrimination.

Dr. P. N. Banerjea: When does the Honourable Member expect to give effect to these new rules?

The Honourable Sir Muhammad Zafrullah Khan: I am informed that, so far as the question of discrimination is concerned, the rules are already in force. With regard to the modifications that the Committee has been considering, the Committee have now made recommendations, and it should not take long to enforce them.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that the E. B. Railway Administration gives heavy allowances to European and Anglo-Indian employes in proportion to their pay and the number of children they have, whereas, in the case of Indian employes, nothing is done.

The Honourable Sir Muhammad Zafrullah Khan: I think with regard to Indian employes also the rules provide that assistance to be given should depend upon the number of children, subject to a maximum.

Pandit Lakshmi Kanta Maitra: The rules no doubt provide that, but, as a matter of fact, nothing is being done.

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will give me any specific instance where an Indian employe has not been paid the allowance according to the rules, I shall look into the matter.

SCHOOLS FOR THE EDUCATION OF THE CHILDREN OF RAILWAY EMPLOYEES.

864. ***Dr. P. N. Banerjea:** Will Government be pleased to state:

(a) how many Railway Schools are maintained by the East Indian Railway and the Bengal Nagpur Railway;

- (b) what facilities are given to their school staff;
- (c) how many schools are maintained by the Eastern Bengal Railway for the education of the children of the (i) European and Anglo-Indian employees, (ii) and how many for the Indian employees?
- (d) If there is no Railway School for the Indian employees, the reason for this discrimination?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed as follows:

- (a) Fifty and thirty-one, respectively.
- (b) School teachers employed in the East Indian Railway are now treated as Railway servants in all respects, except that in the matter of leave they are governed by the new leave rules applicable to the teaching staff employed in Railway schools on State Railways. Such staff employed on the Bengal Nagpur Railway have hitherto been regarded as Railway employees for purposes of the grant of passes, provident fund, bonus and gratuity. In all other respects they have been subject to whatever conditions may be imposed by the Managing Committees of the Indian schools who employ them and by the Railway's Assistant Controller of Schools, who is responsible for the recruitment and conditions of employment of European school teachers.
- (c), (i). Four.
- (ii) None, but a number of Indian Schools are in receipt of capitation grant from the Railway. Certain of these schools are housed in Railway's buildings.
- (d) The European schools on the Eastern Bengal Railway are of the primary standard only and were sanctioned to meet the lack of educational facilities for European and Anglo-Indian children. There was not then and is not now the same difficulty with regard to Indian schools of the same standard.

SCHOOLS AT CERTAIN PLACES ON THE EASTERN BENGAL RAILWAY.

865. ***Dr. P. N. Banerjea:** Will Government please state:

- (a) if the Railway Board decided that the European and Anglo-Indian Schools at Chitpur, Kanchrapara, Saidpur and Katihar should be treated as Eastern Bengal Railway Schools and be maintained and entirely controlled by the Railway, as published in Notification No. 390 of the Eastern Bengal Railway Gazette No. 13 of 1935, with effect from the 1st July, 1935; and
- (b) whether the Agent of the Eastern Bengal Railway admitted that the Harnett H. E. School, Kanchrapara, is a Railway School, in his letter No. 190-D./W.-1, dated the 9th October, 1922, addressed to the Director of Public Instruction, Bengal, when the latter asked the Agent to make over the Railway building occupied by the said school to its Committee of management?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, but this in no way altered the status or character of the schools. They have all along been Railway schools and their teachers treated as Railway servants. The only change has been that the Railway has tightened its control and taken over the regulations of the school finances from the school committee. No new benefits have been conferred by reason of the change.

(b) Yes, but the Honourable Member apparently seeks to give the term 'Railway school' used in the letter an interpretation it was never intended to bear. The school was a Railway school in that it was housed in a Railway building, received a capitation grant from the Railway and 78 per cent. of its pupils were the children of Railway employees. Its teachers neither then nor later were treated as Railway employees.

Dr. P. N. Banerjea: Are these schools then in an anomalous position?

The Honourable Sir Muhammad Zafrullah Khan: Which of them?

Dr. P. N. Banerjea: These so-called railway schools, are they private schools or railway schools?

The Honourable Sir Muhammad Zafrullah Khan: With regard to those to which part (b) of the question refers, the position is, they get a grant from the railways and a very large number of the pupils come from the railways, but otherwise they are not railway schools though sometimes they are housed in railway buildings.

TREATING OF KANCHRAPARA SCHOOL ON THE EASTERN BENGAL RAILWAY AS A RAILWAY SCHOOL.

866. ***Dr. P. N. Banerjea:** (a) Do the Railway Board intend to remove the grievance of the Indian employees of the Eastern Bengal Railway by immediately giving the Harnett H. E. School, Kanchrapara the status of a Railway School, so as to put an end to all suspicion of racial discrimination?

(b) If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government are not aware that the Indian employees of the Eastern Bengal Railway have any grievance as a result of the Eastern Bengal Railway Administration not giving the school the status of a Railway School and they are not prepared to do so as the present policy is not to take over any more schools.

Mr. M. S. Aney: What is the condition under which a school is taken under the control of the railways?

The Honourable Sir Muhammad Zafrullah Khan: As I have said, no further schools are to be taken under control of the railways, but the capitation grant will nevertheless be continued, and the other facilities which I have mentioned will also be continued.

Mr. S. Satyamurti: Are these schools open to Indian children on the same terms as to the European and Anglo-Indian children?

The Honourable Sir Muhammad Zafrullah Khan: Will the Honourable Member explain what he means by the expression "on the same terms"? What is the significance of that phrase?

Mr. S. Satyamurti: Fees and other conditions.

The Honourable Sir Muhammad Zafrullah Khan: Under the rules, wherever a child is entitled to assistance from railway revenues,—yes.

Mr. S. Satyamurti: Are these schools open to Indians?

The Honourable Sir Muhammad Zafrullah Khan: The schools referred to in part (b) of question No. 865 are open to them.

APPOINTMENT OF THE SUPERINTENDENT, LANDS AND ESTATES, BY THE CALCUTTA PORT TRUST.

867. ***Mr. Basanta Kumar Das:** (a) Is it a fact that the present incumbent of the post of the Superintendent, Lands and Estates, has been appointed by the Calcutta Port Trust authorities on a much higher scale of salary than what used to be for the post?

(b) On what scale of pay has the present incumbent been appointed and what was the scale of salary for his predecessor?

(c) Is it a fact that the time of making this appointment almost coincided with a period when the Port Trust authorities were under the necessity of effecting economy in every possible direction, one of the measures adopted being the retrenchment of staff on a very heavy scale?

(d) Is it a fact that prior to making the appointment of Superintendent, Lands and Estates, the Port Trust authorities appointed two Audit Inspectors on a lower scale of salary than what used to be for the post?

(e) If the answers to parts (a), (c) and (d) be in the affirmative, how can the action of the Trustees in appointing the Superintendent, Lands and Estates, on a higher scale of salary be reconciled with their general policy of economy, as also, the appointment of Audit Inspectors on a reduced scale?

The Honourable Sir Muhammad Zafrullah Khan: Information has been called for and a reply will be laid on the table of the House in due course.

CONFIRMATION OF THE TRAFFIC PROBATIONERS RECRUITED BY THE CALCUTTA PORT TRUST.

868. ***Mr. Basanta Kumar Das:** (a) With reference to starred question No. 154 (d) of the 5th September, 1935, will Government be pleased to state whether all the Traffic Probationers recruited by the Calcutta Port Trust in the year 1929, have since been confirmed? If not, why not?

(b) How many of them are still due to be confirmed?

(c) What is the reason for indefinitely prolonging the period of probation in case of those who are yet unconfirmed?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to answer questions Nos. 868 and 869 together.

Information is being called for and a reply will be laid on the table of the House in due course.

Mr. Basanta Kumar Das: Will the Honourable Member give me an idea of the time by which we can receive the information?

The Honourable Sir Muhammad Zafrullah Khan: I could not say, but I do not think that there has been any tendency on the part of the Department to delay laying information on the table in due course after it is received.

RACIAL DISCRIMINATION IN THE CALCUTTA PORT TRUST.

1869. ***Mr. Basanta Kumar Das:** (a) Will Government be pleased to state whether they are aware that in the matter of giving promotion:

- (i) the European and Anglo-Indian employees of the Calcutta Port Trust are usually given preference to their Indian colleagues; and
- (ii) when the Indians are solely concerned, their appointment, confirmation or promotion in the services is generally governed by such considerations as the influence of and relationship with high officials or public men of eminence?

(b) Is it not a fact that the Indian employees of the Port Trust have in most cases higher education and intellectual equipment than their European and Anglo-Indian colleagues?

(c) Is it not also a fact that the Port Trust authorities are opposed to the introduction of departmental examinations on a *wide* principle? If so, why?

(d) Is it not a fact that in the past:

- (i) the Port Trust authorities held departmental examinations for their officers in the Traffic Department up to a certain rank; and
- (ii) the system was abandoned? If so, why?

(e) With reference to the answer to starred question No. 155 (c) of the 6th September, 1935, will Government be pleased to state whether character, personality and temperament are considered as necessary assets for the efficient discharge of duties in Government services?

(f) Is it not a fact that on the Railways, both State and Company-managed, there obtains the system of departmental examinations, in some cases, even for persons holding the charge of districts?

(g) If the answer to part (f) be in the affirmative, why do not the Calcutta Port Trust authorities adopt a similar system in order to test the abilities and intelligence of their employees?

(h) Are Government aware of the almost universally accepted principle that system of examinations in public services not only helps to limit the probable scope of favouritism and corruption, but also leads to the recognition of intelligent and meritorious persons?

(i) If the answer to part (h) be in the affirmative, are Government prepared to consider the necessity of urging the Port Trust authorities to extend the system of departmental examinations in their services?

APPOINTMENT OF MR. H. G. FRANKS AS NEWS EDITOR OF THE DELHI BROADCASTING STATION.

870. ***Mr. Suryya Kumar Som:** (a) Has the attention of Government been drawn to the editorial article of the *Amrita Bazar Patrika*, of the 10th-11th January, commenting on the appointment of Mr. H. G. Franks as "News Editor" of the Delhi Broadcasting Station?

(b) Are Government aware that he published a book "Queer India" in which he depicted Indian people in a very bad light and in which he depicted India as a land of mediæval superstition mingled with primitive savagery?

(c) Are Government aware that according to Mr. Lionel Fieldon, Controller of Indian State Broadcasting Service "Broadcasting if used with integrity, intelligence, idealism, can be the means of infusing into every class and community the spirit of mutual understanding and goodwill and if properly used it will usher in a time when generosity, toleration, and kindness will replace greed, cruelty, and mistrust"?

(d) Was this appointment advertised? If not, why not?

(e) What is the special qualification of this gentleman that prompted Government to appoint him to such an important post?

(f) Are Government aware that the appointment of this gentleman has roused great indignation in the public mind and that the public are attributing some sinister motive behind this appointment?

(g) Are Government prepared to consider the desirability of removing this gentleman at once from the post, which has been given to him only temporarily?

The Honourable Sir Frank Noyce: (a) The Honourable Member is presumably referring to the editorial article that appeared in the *Amrita Bazar Patrika* on the 12th January, 1936. If so, I have seen it.

(b) Government are aware that Mr. Franks is the author of the book "Queer India".

(c) Government are aware that Mr. Fielden did say something to that effect during his speech when opening the Radio Exhibition at Bombay.

(d) No, as the appointment had to be made at very short notice, and was a temporary one only.

(e) The fact that he had long experience of journalism and was free to take up a temporary appointment.

(f) No. Government are aware that the appointment has been criticised by a certain section of the press.

(g) No. Mr. Franks has so far carried out his duties satisfactorily.

Mr. M. Ananthasayanam Ayyangar: How long is he to be retained in service? For what period?

The Honourable Sir Frank Noyce: The question of permanent arrangements is now under consideration, and I hope it will not be long before a decision is reached.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether the news that is edited by the Editor for broadcasting is being revised by any other officer? Is it looked into before it is broadcasted?

The Honourable Sir Frank Noyce: No. The position in regard to the editing of the news is that it has obviously to be done at once otherwise it ceases to be news. Therefore, a very large amount of discretion has to be left to the News Editor.

Mr. Lalchand Navalrai: Then, there will be no time for Mr. Fielden to go into it and see whether any news is objectionable or not, before it is broadcasted?

The Honourable Sir Frank Noyce: Ordinarily not. He can only take *ex post facto* action.

Mr. T. S. Avinashilingam Chettiar: Will the permanent appointment be made through the Public Service Commission?

The Honourable Sir Frank Noyce: That I am unable at the moment to say. I have pointed out already that the whole question of permanent arrangements is under consideration, and I would add for the information of the House that the necessity of an absolutely impartial news service from the Delhi Broadcasting Station will be borne in mind when those permanent arrangements are made. I trust that the House will be satisfied with that assurance.

Mr. Lalchand Navalrai: Will the Honourable Member also keep this in view that anything that is edited will also be revised or something done, so that no bad news goes out?

The Honourable Sir Frank Noyce: I have already said that revision or censorship of the news before it is broadcasted is obviously impossible; otherwise, it ceases to be news. But that makes it all the more important that the News Editor should be very carefully selected.

Mr. M. Ananthasayanam Ayyangar: Will an Indian be appointed in the permanent appointment, or have Government got a European in view?

The Honourable Sir Frank Noyce: All I can say is that the best man available will be appointed.

Mr. S. Satyamurti: Will Government consider the desirability of appointing an Indian, as the news is for the benefit of Indians?

The Honourable Sir Frank Noyce: I can only say that all relevant considerations will be borne in mind and that the best man available, specially qualified for the duties he has to perform, will be appointed.

Mr. S. Satyamurti: What is the term of service of this gentleman, according to the present terms of the contract? When does the term expire?

The Honourable Sir Frank Noyce: He was appointed for two months in the first instance.

Mr. M. Ananthasayanam Ayyangar: In making the permanent appointment, will applications be called for from all over the country?

The Honourable Sir Frank Noyce: As I have said, all these matters are under consideration. I am not able to say more than that at the moment.

DISBURSEMENT OF THE MONTHLY WAGES OF THE DAILY-RATED STAFF OF THE NORTH WESTERN RAILWAY.

871. ***Mr. Sham Lal:** (a) Will Government please state whether it is a fact that the monthly wages of the daily-rated staff of the North Western Railway 'Loco' and 'Carriage & Wagon' Workshops are disbursed by the clerical staff of the Railway Accounts Department, in collaboration with the Executive representatives from the Workshops (Chargemen, etc.)?

(b) If the answer to part (a) be in the affirmative, is it a fact that a separate Railway Cash and Pay Department exists for payment purposes?

(c) Is it a fact that each clerk, paying out, has to disburse cash ranging from ten thousand to twenty thousand rupees?

(d) Are Government aware of the high responsibility that is thrown on the clerical staff who are meant or employed for purely clerical office work and not for payment work?

(e) Is it a fact that shortages of cash, if any, that occur in the process of disbursement operations, are made good by the staff detailed to make payment?

(f) Is it a fact that in view of the responsibility attached to the payment work, the Accounts Staff booked on payment duty, used to be granted a remuneration per turn of Rs. 10 each for the same?

(g) Is it a fact that the said remuneration of Rs. 10, after having been drawn by the staff for more than twelve years, was stopped in 1930, as a measure of economy campaign?

(h) Is it a fact that the responsibility for which allowance was previously given has not ceased and still exists?

(i) Is it a fact that the representations from the staff were actually supported by the responsible officers on the spot, but the superior authorities concerned did not restore the allowance?

(j) Is it a fact that the Executive Staff (chargemen, etc.) deputed to work side by side with the Accounts staff for payment to labour, used originally to get four hours' pay and still are getting two hours' pay as overtime?

(k) If the answers to the preceding parts be in the affirmative, will Government be pleased to state whether they are prepared to take early steps to remove the grievance of the Railway Accounts Staff concerned with

Mr. P. R. Rau: (a) Yes.

(b) The cash and pay work on the North Western Railway is entrusted to a contractor.

(c) Yes.

(d) Government are satisfied that under the terms of his agreement a clerk in the Accounts Department can be employed on the payment of wages and is not entitled to overtime on that account.

(e) Yes.

(f) and (h). The remuneration was sanctioned for extra work but was discontinued as arrangements have been made to have different clerks to do this work in different months.

(g) Yes

(i) Government are not prepared to disclose what the recommendations of subordinate authorities were.

(j) Government understand that chargemen deputed for the purpose are granted an overtime allowance equal to four hours' wages.

(k) Government do not consider that there can be any legitimate grievance over the matter.

TAKING INTO CONSIDERATION THE NUMBER OF CHILDREN AND OTHER DEPENDENTS IN ASSESSING INCOME-TAX.

872. *Mr. Sham Lal: Will Government be pleased to state:

(a) whether it is a fact that in England the number of children and other dependents is taken into consideration in assessing income-tax; and

(b) if so, whether similar steps are intended to be taken in India?

Mr. A. H. Lloyd: (a) Yes.

(b) The matter is one which will certainly be considered by the Expert Advisers on Income-tax to the Government of India.

AMENDMENT OF PENSION AND GRATUITY RULES IN THE INTEREST OF THE FAMILIES OF GOVERNMENT SERVANTS.

873. *Mr. Sham Lal: Will Government be pleased to state:

(a) whether it is a fact that some Government servants die without enjoying any pensions, even after having put in more than half the period of approved service, leaving their widows and children mostly in miserable conditions; and

(b) if so, whether they propose to have pension and gratuity rules suitably amended in the interest of the families of such Government servants?

The Honourable Sir James Grigg: (a) Government have no reason to believe that the families of Government servants who die in service are left unprovided for except in comparatively rare instances.

(b) I would refer the Honourable Member to parts (a) and (b) of the answer given to question No. 347 on the 12th February, 1936.

MARRIED STUDENTS IN INSTITUTIONS IN THE CENTRALLY ADMINISTERED AREAS.

874. ***Mr. Sham Lal:** Will Government be pleased to state the present number of married students in the Primary, Secondary and Intermediate classes of the Government recognised and Government aided educational institutions of the centrally administered areas below the Sarda limits of 18 and 14 years for males and females, respectively?

Sir Girja Shankar Bajpai: The information asked for by the Honourable Member is not available. The Government of India will consult Local Governments as to whether this type of information can be procured and included in the ordinary statistical tables, and, if so, what categories of pupils would be suitable for inclusion.

GOVERNMENT SERVANTS NOT TRAVELLING IN THE CLASS FOR WHICH TRAVELLING ALLOWANCE IS CLAIMED.

875. ***Mr. Sham Lal:** Will Government be pleased to state

- (a) whether it is a fact that several Government servants do not travel by rail in the class for which they claim travelling allowance from the Central Exchequer on their salary rates, causing considerable loss to Railway revenues; and
- (b) if so, whether they propose to amend the travelling allowance rules suitably in this direction?

The Honourable Sir James Grigg: Attention is invited to Supplementary Rule 32-A and Rule 7 of the Simla Allowances Code as amended by correction slip No. 28, dated the 5th April, 1935. It will be seen that the travelling allowance rules have been suitably amended.

UNIFORMS OF RAILWAY OFFICIALS MADE OF IMPORTED CLOTH.

876. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether uniforms of different Railway officials of various grades are being made of imported cloth on different Indian Railways; and
- (b) the approximate cost of cloth imported for this purpose during the last financial year?

The Honourable Sir Muhammad Zafrullah Khan: (a) With the exception of imported lining cloth all cloth used for State-managed Railway uniforms is of indigenous origin.

(b) The cost of imported lining cloth purchased for State-managed Railway uniforms during 1934-35 was in the region of Rs. 15 only.

FINANCIAL AID TO RELIEVE THE INDEBTEDNESS OF THE PEASANTS..

877. *Mr. Sham Lal: Will Government be pleased to state:

- (a) whether it is a fact that State financial aid was given by the Governments in several western countries to relieve the indebtedness of the peasantry; and
- (b) if so, whether the same is being intended to be extended in the centrally administered areas?

Sir Girja Shankar Bajpai: (a) Government have no information.

(b) No.

REVISION OF SALARY GRADES.

878. *Mr. Sham Lal: Will Government be pleased to state:

- (a) whether revised salary grades have so far been introduced in all services under them;
- (b) whether revision of salary grades has been carried on in different provinces in consultation with the Central Government; and
- (c) if so, which provinces have so far completed this work and which have not?

The Honourable Sir James Grigg: (a) Revised scales of pay for services under the Governor General in Council have been introduced.

(b) It is understood that the various Local Governments have also been revising the scales of pay for their services, but it is not incumbent upon Local Governments to consult the Government of India in such matters.

(c) Information is not available.

BRITISH DOMINIONS WHERE INCOME-TAX ON SALARIES AND PENSIONS DRAWN IN ENGLAND IS NOT PAYABLE TO GOVERNMENT EXCHEQUERS.

879. *Mr. Sham Lal: Will Government be pleased to state the names of British Dominions where Income-tax on salaries and pensions drawn in England from those countries are not payable to the Government Exchequers of those countries?

The Honourable Sir James Grigg: I would refer the Honourable Member to the reply given to part (c) of his question No. 760.

RAILWAY SERVANTS DETECTED TRAVELLING WITHOUT TICKETS OR PASSES.

880. *Mr. Sham Lal: Will Government be pleased to state the respective numbers of Railway servants of various official positions detected during each of the last three years travelling on their private business without Railway tickets or passes on different Indian Railways respectively, together with the nature of the disciplinary action taken against them?

The Honourable Sir Muhammad Zafrullah Khan: The majority of Railways do not maintain any record of the number of such cases. I am, however, placing on the table a statement giving such information as is available.

Statement.

A. B. Railway.

| | | | | | | |
|---------|---|---|---|---|---|---|
| 1932-33 | . | . | . | . | . | Nil. |
| 1933-34 | . | . | . | . | . | One subordinate and five inferior servants. |
| 1934-35 | . | . | . | . | . | Five subordinates and four inferior servants. |

The departmental action taken varied from a warning to dismissal according to the circumstances of each case.

B. and N. W. and R. and K. Railways

Such cases are few and far between and the disciplinary action taken varied from a warning to dismissal according to the circumstances of each case.

B. N. and E. B. Railways.

Full fare and penalty as in the case of ordinary passengers, are recovered.

M. and S. M. Railway.

Full fare and penalty as in the case of ordinary passengers, are recovered. In addition disciplinary action is generally taken according to the circumstances of each case.

N. W. Railway

| | 1933. | 1934. | 1935. |
|--------------------------|-------|-------|-------|
| Officers | Nil | Nil | Nil |
| Subordinates | 79 | 49 | 50 |
| Inferior staff | 353 | 311 | 298 |

The disciplinary action taken was in accordance with the rules which provide for the recovery of fares and penalty as in the case of ordinary passengers: in addition, for the first offence the fine is one week's pay, for the second offence one month's pay and for the third offence dismissal.

MISUSE OF THE PRIVILEGE OF TRAVELLING BY MEANS OF RAILWAY PASSES.

881. ***Mr. Sham Lal:** Will Government be pleased to state:

(a) whether it is a fact that the privilege of travelling by means of Railway passes is sometimes misused by the friends and relatives of those persons for whom alone they are issued by Railway authorities; and

(b) if so, what the respective number of convictions has been in such cases on different Indian Railways during each of the last two years?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Bombay, Baroda and Central India Railway two cases:

North Western Railway five cases in 1931 and eight cases in 1935. Convictions were obtained in two cases.

South Indian Railway one case in 1934 in which, however, the accused was discharged.

The Agents of other principal Railways state that similar information is not readily available.

PASSING OF FIRST AID TEST BY ASSISTANT STATION MASTERS AND STATION MASTERS.

882. ***Mr. Sham Lal:** Will Government be pleased to state whether all Indian Railways have made it compulsory for Assistant Station Masters and Station Masters to pass the test in first aid before being appointed to these posts? If not, do Government propose to take any steps in this matter?

The Honourable Sir Muhammad Zafrullah Khan: I place on the table of the House extracts from the orders issued by the Railway Board in this connection. So far as Government are aware qualifications in first-aid have not been made compulsory in the case of station masters and assistant station masters on class I Railways. In view of what is stated in the Railway Board's letter No. 527-E.G., dated the 27th June, 1933, Government do not propose to take any action at present in the matter.

EXTRACT FROM LETTER NO. 527-E. G., DATED THE 27TH JUNE, 1933, FROM THE SECRETARY RAILWAY BOARD, TO THE AGENTS, EASTERN BENGAL, EAST INDIAN, GREAT INDIAN PENINSULA, NORTH WESTERN AND BURMA RAILWAYS.

'First Aid' expenditure.

2. The Board are of opinion that the staff mentioned in paragraph 2 of their letter No. 527-E. G., dated the 9th August, 1932, are the minimum for whom First Aid qualifications should be made obligatory and while they consider that it should be left to the discretion of the railway administrations to decide which other staff should be trained in 'First Aid', they would invite consideration to the fact that such training involves expenditure on travelling allowances when staff have to attend courses at outstations and in view of the present need for economy, the Board would be glad if you would now review the existing orders on your railway in regard to this matter so as to ensure that no expenditure is incurred which could not be reasonably justified.

COPY OF LETTER NO. 527-E. G., DATED THE 9TH AUGUST, 1932, FROM THE SECRETARY, RAILWAY BOARD TO THE AGENTS, EASTERN BENGAL, EAST INDIAN, GREAT INDIAN PENINSULA, NORTH WESTERN, BURMA, ASSAM BENGAL, BENGAL NAGPUR, BOMBAY BARODA AND CENTRAL INDIA, MADRAS AND SOUTHERN MAHRATTA AND SOUTHERN INDIAN RAILWAYS.

'First Aid' expenditure

2 The Railway Board consider that it would be advisable to make qualifications in 'First Aid' obligatory in the case of running staff other than those who are not required to be literate and for supervising staff in all workshops and running sheds, provided that such qualifications will not be obligatory for staff already in service but that the possession of such qualifications by staff already in the categories named above prior to the issue of the orders will be taken into favourable consideration in selection for promotion. I am to request that you may furnish the Railway Board with your views on this point.

DISABILITIES OF INDIANS IN CERTAIN COUNTRIES.

883. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether it is a fact that Indians are being treated differently from others in Natal, Kenya, Zanzibar, Fiji and Mesopotamia, by the respective Governments of those countries;
- (b) if so, whether there are arrangements for having yearly reports regularly as to the improvements effected in the status of Indians in those countries; and
- (c) if not, whether they propose to take any steps in the matter?

Sir Girja Shankar Bajpai: (a) Indians are subject to certain disabilities in Natal, Kenya, Zanzibar and Fiji. No such disabilities exist in Mesopotamia.

(b) The position of the Indian community in Natal is reviewed in the annual reports of the Agent-General for India in the Union of South Africa and of the Protector of Indian Immigrants in Natal. The annual report of the Secretary for Indian Affairs in Fiji contains similar information regarding the Indian community in that colony. There are no such reports relating to the Indian communities in Kenya and Zanzibar.

(c) If a Trade Commissioner for East Africa is appointed, it should be possible to get information more regularly about matters of economic interest to the Indian communities in Kenya and Zanzibar.

COST OF CLOTH IMPORTED FOR THE UNIFORMS OF POSTAL PEONS, POLICE OFFICIALS, ETC.

884. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether the uniforms of different:
 - (i) men in different ranks of the Indian Defence Force,

- (ii) peons in Post and Telegraph Offices throughout India; and
 - (iii) police officials of various grades employed in the centrally administered areas, are being made of Indian cloth; and
- (b) if not, the approximate cost of the cloth imported during the last financial year for this purpose?

The Honourable Sir Frank Noyce: (a) The uniforms of the personnel of the Defence Services are made both of Indian and of imported cloth. Those of peons in the Posts and Telegraphs Department and of members of the Police force are made entirely of Indian cloth.

(b) During the year 1934-35 articles of uniform clothing to the value of Rs. 21,32,368 were purchased through the Indian Stores Department, for the Defence Department. The total includes Rs. 13,71,195 for articles of Indian manufacture and Rs. 7,61,173 for imported articles. The cost of uniform clothing purchased by the Defence Department directly from abroad during 1934-35 is being ascertained and a statement will be placed on the table of the House in due course.

COMPANIES EMPLOYING MORE THAN HALF OF THEIR CAPITAL FROM SOURCES OTHER THAN INDIAN.

885. ***Mr. Sham Lal:** Will Government be pleased to state the number of registered companies in various parts of India on the 31st March, 1935 employing more than half of their capital from sources other than Indian?

The Honourable Sir Muhammad Zafrullah Khan: The information is not available.

PROHIBITION OF DRUNKENNESS FOR MOTOR DRIVERS IN THEIR LICENCES.

886. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether it is a fact that one of the main causes of serious motor accidents is the drunkenness of drivers in several cases;
- (b) whether there is in the centrally administered areas any prohibition of drunkenness for drivers in their licences at the time of driving motor vehicles; and
- (c) if not, whether Government intend to take any action in the matter?

The Honourable Sir Henry Craik: (a) I have no statistics on the point, but obviously if the driver of a motor vehicle is drunk, he is more liable to accident.

(b) Under the Indian Motor Vehicles Act, 1914, reckless or negligent driving is a criminal offence. Also any Local Government (a term which includes the Governments of the centrally administered areas) may in its discretion cancel or suspend any licence granted under the Act or declare any person disqualified permanently or temporarily for obtaining a licence under the Act. These powers can also be exercised up to a period of one year by any Court which convicts of a motoring offence. In addition, the rules of some administrations (*e.g.*, Baroda Cantonment, Central India,

Agency and Hyderabad administered areas, and Andamans) specifically prohibit drunkenness during employment. The rules for Quetta Town and Cantonment provide for the forfeiture of the motor-taxi driver's licence if he is found drunk during employment: and the Delhi rules require, from an applicant for a licence to drive a public motor vehicle or a heavy motor vehicle, a medical certificate as to whether he shows any signs of being addicted to the excessive use of alcohol or drugs.

(c) The power to make Rules under section 11 of the Act vests in the Local Governments: but I have no objection to sending to them the copies of this question and my reply.

REGISTRATION OF MARRIAGES, BIRTHS AND DEATHS.

887. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) the number of local bodies (District Boards and Municipalities etc.) enforcing registration of marriages, births, and deaths within their jurisdictions in the centrally administered areas; and
- (b) if the number of local bodies, which do not insist on registration of marriages, is still large, whether Government propose to take any action in the matter as a check to abductions from one place to another?

The Honourable Sir Henry Craik: (a) The registration of births and deaths is enforced in the jurisdiction of all local bodies in the centrally administered areas. The registration of marriages is enforced only by three out of the 20 local bodies.

(b) I am not sure how far the compulsory registration of marriages will act as a check on abduction of women: but I am prepared to communicate copies of this question and my reply to the administrations concerned.

ENTERING OF THE NAMES OF NEWLY-BORN BABIES IN BIRTH REGISTERS.

888. ***Mr. Sham Lal:** Will Government be pleased to state:

- (a) whether Municipalities and District Boards of the centrally administered areas have adopted bye-laws for getting the names of the newly-born babies duly entered in their birth registers within special periods; and
- (b) if not, what action is intended to be taken in the matter?

Sir Girja Shankar Bajpai: (a) and (b). The bye-laws of municipalities in Baluchistan, Delhi and Ajmer-Merwara (except Deoli) provide for registration, within a prescribed period, of the names of newly-born children. The question of enforcing registration of births in Deoli is under consideration. In Coorg municipalities, the registration of the name is contingent on the child having been named within the compulsory period for registration of birth.

In rural areas there is no compulsory provision for the registration of names.

HEAD-GEAR OF UNIFORMS FOR RAILWAY OFFICIALS.

889. ***Mr. Sham Lal:** Will Government be pleased to state the improvements effected, if any, by different Indian Railways during the last five years in the matter of head-gear of Railway uniforms for different Railways officials?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider any useful purpose will be served by collecting it. This is a matter which each Railway Administration decides according to its particular requirements.

PAY AND ALLOWANCES OF INDIAN MILITARY OFFICERS.

890. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state if.

(1) the pay of a British Officer in the Indian Army is as follows:

(i) UNMARRIED OFFICERS.

Lieutenant.

| | Rs. | Rs. |
|---|-----|-----|
| Pay of rank | 385 | |
| Indian Army Allowance | 75 | |
| Unmarried rate of lodging allowance | 20 | |
| | | 480 |

(ii) MARRIED OFFICERS.

Lieutenant.

| | | |
|---|-----|-----|
| Pay of rank | 385 | |
| Indian Army Allowance | 75 | |
| Married rate of lodging allowance | 40 | |
| Marriage allowance | 65 | |
| | | 565 |

(2) the pay of a British Officer in the British Service is as follows:

(i) UNMARRIED OFFICERS.

Lieutenant.

| | Rs. | Rs. |
|---|-----|-----|
| Pay of rank | 385 | |
| Unmarried rate of lodging allowance | 20 | |
| | | 405 |

(ii) MARRIED OFFICERS.

Lieutenant.

| | | |
|---|-----|-----------|
| Pay of rank | 385 | |
| Married rate of lodging allowance | 40 | |
| Marriage allowance | 65 | |
| | | 490 ; and |

(3) the pay of an Indian Military Officer passed out of the Indian Military Academy is as follows:

Lieutenant.

| | | |
|---|-----|-----|
| Pay of rank | 300 | |
| Mess allowance for the first year when attached to a British Unit | 35 | |
| | | 335 |

(h) Is it a fact that the mess allowance mentioned in part (a) (3) above ceases when an officer is attached to a permanent Unit?

(c) Are Government aware that the Indian Military Officers who have passed out of the Indian Military Academy into the Indian Army as Second-Lieutenant, are unable to make both ends meet, as their pay has been fixed at Rs. 300, which is much lower than that admissible to a British Officer in the Indian Army or British Service and that the monthly expenses of an Indian Military Officer of the rank of Second-Lieutenant are as follows:

Minimum monthly Expenses of the Indian Military Officer passed out of the Indian Military Academy:

| | Rs. | Rs |
|--|-----|-----|
| Mess expenses including cigarettes, drinks, stationery, etc. | 200 | |
| Monthly preparation of new clothes | 10 | |
| Monthly clothing repairs | 10 | |
| Conveyance expenses such as tonga hire, etc. | 10 | |
| Bearer | 25 | |
| Washerman | 7 | |
| Sweeper | 5 | |
| Chaukidar | 4 | |
| Gardener | 4 | |
| Electric and water expenses | 10 | |
| Cleaning materials such as boot polish, brasso, etc. | 10 | |
| House rent | 25 | |
| Hire of furniture | 6 | |
| Soap, tooth paste, etc. | 5 | |
| Club subscription | 30 | |
| Cinema | 10 | |
| Life Insurance | 20 | |
| Miscellaneous expenses | 10 | |
| | | 391 |
| Pay and Mess allowance | | 335 |
| Monthly deficit | | 56 |

(d) If Government are aware of the monthly deficit incurred by an Indian Military Officer, are they prepared to increase his rank pay to Rs. 385, as allowed to a British Military Officer in the British Service, and give him the same rate of lodging and other allowances?

Mr. G. R. F. Tottenham: (a) The rates mentioned are those for an officer of the rank of 2nd Lieutenant.

(b) Yes.

(c) No. The pay of an Indian Commissioned Officer of the rank of 2nd Lieutenant is based on the pay of an unmarried British Service officer of that rank when he too is serving in his own country. Before the rate was fixed the probable expenditure of an Indian Commissioned Officer of that rank was very carefully examined, and details of necessary expenses in various stations were ascertained. By so doing Government satisfied themselves that the rate fixed should be sufficient to enable a young officer to live in the style suitable to his rank and position without getting into debt, provided that he exercised reasonable care. Government cannot accept the Honourable Member's estimate of minimum expenses.

(d) Does not arise.

ABSENCE OF MUSLIM OFFICERS IN THE CALCUTTA PORT TRUST.

891. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state whether it is a fact that up to now there is not a single Mussalman Officer in the Calcutta Port Trust, who is on a scale of salary rising up to or above Rs. 500?

(b) What is at present the total number of employees in the Calcutta Port Trust who come under the Fundamental Leave Rules?

(c) How many of the employees, classified according to senior and junior ranks, are Europeans, Anglo-Indians, Hindus and Mussalmans, respectively, posts which carry a maximum salary of Rs. 500 and above being treated as in the senior rank?

(d) What percentage of the total amount at present being spent on the salaries and allowances of the employees in the Calcutta Port Trust goes to Europeans, Anglo-Indians, Hindus and Mussalmans, respectively?

(e) With reference to starred question No. 309 of the 31st August, 1933, if the position, both in quality and quantity, with regard to Mussalman employees has not improved, what is the reason?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to answer questions Nos. 891, 892, 893 and 894 together.

The information is being called for, and a reply will be laid on the table in due course

MUSLIM EMPLOYEES IN THE CALCUTTA PORT TRUST.

1892. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state how many Mussalman employees there are at present in the Calcutta Port Trust who are on a scale of salary:

- (i) rising above Rs. 400, but not exceeding Rs. 450;
- (ii) rising above Rs. 350, but not exceeding Rs. 400;
- (iii) rising above Rs. 300, but not exceeding Rs. 350;
- (iv) rising above Rs. 250, but not exceeding Rs. 300;
- (v) rising above Rs. 200, but not exceeding Rs. 250;
- (vi) rising above Rs. 150, but not exceeding Rs. 200;
- (vii) rising above Rs. 100, but not exceeding Rs. 150; and
- (viii) rising up to Rs. 100?

(b) Is it a fact that when occasions for filling up vacancies, whether clerical or of the officer's rank, under their control arise, the Commissioners do not in 99 per cent. cases advertise in the Calcutta Gazette or in the leading Calcutta papers about the vacancies?

(c) If in most cases they do not advertise their vacancies properly, what is the reason therefor?

RECRUITMENT OF MUSLIMS IN THE CALCUTTA PORT TRUST.

+893. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state whether it is a fact that in the matters of making appointments or giving

promotion to their employees, the Calcutta Port Trust authorities are very apathetic towards the Mussalmans even when they are qualified and deserving?

(b) Are Government aware of the fact that nowadays there is no dearth of qualified Mussalmans who can efficiently and with credit discharge the duties of the responsible posts in the various sections under the control of the Calcutta Port Trust, with the possible exception of their Mechanical Engineering and Deputy Conservator's Departments?

(c) Is it a fact that:

(i) Government recently asked the Calcutta Port Trust authorities to formulate a scheme reserving a certain percentage of posts for the Mussalmans in order to redress communal inequalities; but

(ii) the Chairman of the Calcutta Port Trust signified his reluctance to meet the wishes of the Government, stating that reservation of 25 per cent. of appointments for the Mussalmans or even a much lower percentage would result not only in the passing over of better qualified men but in the appointment of men who are definitely unfit for the posts?

(d) What are the rules regulating the conduct of a *quasi*-Government official?

RECRUITMENT OF MUSLIMS IN THE CALCUTTA PORT TRUST.

†894. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state what has been the total number of appointments, temporary or permanent, classified according to Senior and Junior ranks that the Trustees of the Port of Calcutta have made since 1st September, 1933?

(b) Out of such vacancies those which were filled up by the appointment of outsiders how many in the senior and junior ranks respectively went to Mussalmans?

(c) Were all such vacancies duly notified in the Press for attracting the best possible candidates?

(d) If not,

(i) why not; and

(ii) how did the authorities come to know that the persons appointed were the most suitable for the posts and Mussalmans with similar or better qualifications were not available?

(e) What are the qualifications of the persons appointed since 1st September, 1933 for filling up vacancies in the senior rank which did not require Marine or Mechanical Engineering qualifications?

(f) Out of the non-Muslims appointed in the junior rank or clerical vacancies since 1st September, 1933:

(i) how many are graduates;

(ii) how many are under-graduates; and

(iii) how many are matriculates?

(g) With reference to the answer to starred question No. 311(c) of the 31st August, 1933, will Government be pleased to lay on the table copies of all the correspondence that passed between the Government and the Calcutta Port Trust authorities regarding the recruitment of Mussalmans?

(h) Do Government propose to appoint a committee consisting of the Members of this House to examine the records of the Calcutta Port Trust and to report after the enquiry about the rules and regulations followed by the authorities as also various other matters concerning their staff?

TRAFFIC PROBATIONERS RECRUITED BY THE CALCUTTA PORT TRUST.

895. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state whether it is a fact that in the year 1934, the Calcutta Port Trust authorities appointed eight Traffic probationers who after the completion of the training are intended to fill up the posts in the officers' rank?

(b) If the answer to part (a) be in the affirmative, is it a fact that none of the probationers happens to be a Mussalman?

(c) Is it a fact that some of the probationers are not graduates, one of them being a mere matriculate?

(d) Is it a fact that out of the eight probationers appointed in the year 1934, four are Anglo-Indians?

(e) If the answer to part (d) be in the affirmative, what is the reason for the appointment of four Anglo-Indians out of a total of eight in view of the policy of Indianisation of the Port Trust Services?

(f) Were the posts advertised? If not, why not; and what were the considerations which led to the selection of the persons appointed?

(g) Are Government prepared to consider the necessity of asking the Calcutta Port Trust authorities to notify each and every vacancy in the Public Press before filling up the same?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) None of the probationers is a Mussalman.

(c) Yes.

(d) Yes.

(e) Anglo-Indians have the legal status of Indians.

(f) Information is being called for and will be laid on the table of the House in due course.

(g) No.

SCHEME OF THE KING GEORGE'S DOCKS.

896. ***Mr. K. L. Gauba:** (a) Will Government be pleased to state:

(i) what was the total number of berths that were provided for in the original scheme of the King George's Docks;

(ii) what was the estimated cost for carrying out the entire scheme of construction; and

(iii) how many berths up to now have been constructed?

(b) Is it a fact that the expenditure actually incurred in the construction of the berths in existence including sheds, warehouses and all other equipments that have up to now been provided exceeded the estimated cost by more than a crore of rupees?

(c) If the answer to part (b) be in the affirmative, are Government prepared to consider the necessity of appointing a committee consisting of the Members of the House to enquire into and report about the affairs of the King George's Dock Scheme? If not, why not?

(d) What was the estimated cost for the portion of the King George's Docks that has been constructed, what has been the actual expenditure and by how much has the actual expenditure exceeded the cost *originally* estimated?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for is being obtained and will be laid on the table of the House when received.

PREVENTION OF THE EXHIBITION OF OBJECTIONAL FILMS ABOUT INDIA IN FOREIGN COUNTRIES.

897. ***Dr. P. N. Banerjee:** (a) Has the attention of Government been drawn to a communication from Mr. S. C. Bose to the United Press published in the *Amrita Bazar Patrika*, in which he says that the anti-Indian propaganda in foreign countries has not yet stopped?

(b) Is it a fact that a film called "Bosumbo" was shown in Vienna a few months ago, the plot of which was exactly the same as of the film "Bengali"?

(c) Will Government be pleased to state what steps have been taken, since this question was raised in the Assembly in September last, to prevent the exhibition of objectionable films?

The Honourable Sir Henry Craik: (a) I would invite the Honourable Member's attention to the reply given by me on the 20th February to Mr. Satyamurti's question No. 725.

(b) The Government of India have no information other than that contained in the Press report to which the Honourable Member refers. This, I would point out, shows that the film "Bosambo" relates to Africa and not to India.

(c) As I emphasised on the 16th September last in reply to the Honourable Member's question No. 377, the Government of India will take such steps as are possible in respect of films picturing India in an unfavourable light whenever they come to notice. No specific case of the sort has arisen since that date.

Mr. S. Satyamurti: Will they request His Majesty's Government to instruct their representatives in the various countries, to be on the lookout for such objectionable films and bring them to the notice of the Government of India as early as possible?

The Honourable Sir Henry Craik: I am not sure that we can do that, Sir, but I will consider that suggestion. I think, however, that we have already made His Majesty's Government perfectly aware of our policy in this matter, which is, that as we stop films objected to by other countries we should get reciprocity, and, so far as I am aware, in the cases brought to our notice we have succeeded in our object.

Mr. M. Ananthasayanam Ayyangar: Will the Honourable Member consider the advisability of moving this matter before the League of Nations?

The Honourable Sir Henry Craik: In reply to a question yesterday or the day before, I said that I was considering that.

SUBSTITUTION OF THE NAME OF "HITLER" FOR THAT OF "GANDHI" IN AN ENGLISH PLAY.

898. ***Dr. P. N. Banerjea:** (a) Is it a fact that in an English play use of the name "Hitler" was protested against by the German Government with the result that the name "Hitler" was removed and in its place the name "Gandhi" was substituted?

(b) Will Government be pleased to enquire why the name "Hitler" was replaced by the name "Gandhi" in this play?

The Honourable Sir Henry Craik: (a) and (b). Enquiries have been made in England and I am informed that Mr. Gandhi's name was not actually used in the play. The report that appeared to the contrary in the newspapers was incorrect. The facts of the case are as follows according to my information:

When the play in question was submitted for licence what appeared to be a harmless joke dealing with the similarity of the name of a page boy—who was a character in the play—and that of Herr Hitler was not interfered with. Later a complaint was made by the German Ambassador through the Foreign Office and the management of the theatre were in consequence asked to delete the reference to Herr Hitler, and to submit alternative lines for the passage to which exception was taken. Upon receiving a communication to this effect from the Lord Chamberlain the management stated to the Press that they proposed to change the name of the page to "Gandhi", but this was never actually done on the stage so far as the Lord Chamberlain is aware, and following an interview between the author of the play and the Assistant Comptroller of the Lord Chamberlain's Office, fresh and entirely inoffensive dialogue, with no reference to either Herr Hitler or Mr. Gandhi was submitted, and approved by the Lord Chamberlain.

EXHIBITION IN EUROPE OF MISSIONARY PROPAGANDA FILMS.

899. ***Dr. P. N. Banerjea:** (a) Has the attention of Government been drawn to a strong protest made by Dr. Arundale, President of the Theosophical Society (*Amrita Bazar Patrika*, 6th December, 1935) against the exhibition in Europe of missionary propaganda films?

(b) Are Government aware that in such films, the picture depicted is not always a true picture?

The Honourable Sir Henry Craik: (a) Yes.

(b) I am unable to say as I have not seen the films but I see no reason to believe that these films will be other than true pictures.

Mr. S. Satyamurti: I think the Honourable the Home Member, in answer to my question some time ago, said that he was making inquiries about this missionary film. Has he heard anything in answer to his

The Honourable Sir Henry Craik: I did make inquiries. As far as I can recollect, the President or some responsible official of the Missionary Film Society—I cannot vouch for the exact name—gave an assurance that the film would be entirely inoffensive.

EXPORTS OF RAW COTTON AND IMPORTS OF COTTON PIECE GOODS TO AND FROM JAPAN.

900. ***Dr. P. N. Banerjea:** Will Government be pleased to make a statement relating to the Indo-Japanese Cotton Protocol for the years 1934 and 1935 showing:

- (1) the exports of raw cotton from India to Japan; and
- (2) permissible imports from Japan of cotton piece-goods?

The Honourable Sir Muhammad Zafrullah Khan: The attention of the Honourable Member is invited to the statements published in the *Indian Trade Journals*, dated the 14th November and the 12th December, 1935, copies of which are in the Library. A further statement will be published as soon as the necessary figures are available.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that, with respect to the proportion of cotton grey goods, bordered and unbordered, there are no details shown as to the quantity of unbordered goods and the quantity of bordered goods in the "Trade Review" that is published?

The Honourable Sir Muhammad Zafrullah Khan: I am not aware of that.

Mr. M. Ananthasayanam Ayyangar: Is the Honourable Member aware that, under the Protocol, there is a special percentage fixed for unbordered goods and another percentage for the bordered goods?

The Honourable Sir Muhammad Zafrullah Khan: I will have to make a reference to the Protocol to find that out.

Mr. M. Ananthasayanam Ayyangar: What steps are taken to see that the percentage is not increased?

The Honourable Sir Muhammad Zafrullah Khan: Returns of the Customs Collectors to that effect.

Mr. M. Ananthasayanam Ayyangar: Are there any returns published?

The Honourable Sir Muhammad Zafrullah Khan: I believe a check is kept.

POSITION OF INDIAN OFFICERS IN BURMA AFTER SEPARATION.

901. ***Dr. P. N. Banerjea:** (a) Are Government aware that considerable apprehension exists in the minds of Indian officers serving in Burma as to their future position and prospects after the separation of Burma

(b) Will Government be pleased to state what steps have been taken to secure reasonable treatment for Indian officers and employees in Burma after separation in respect of pay, allowances, promotion and pensions?

The Honourable Sir Henry Craik: (a) Government have received some representations on the subject.

(b) The question is under consideration.

Mr. S. Satyamurti: Will Government give an opportunity to these Indian officers and employees to make representations, before they make up their minds?

The Honourable Sir Henry Craik: Representations have been received and are under consideration.

POST OF THE ARCHÆOLOGICAL SUBORDINATE IN CHARGE OF THE
CONSERVATION OF HISTORICAL MONUMENTS IN SIND.

902. ***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state whether it is a fact that they are considering the question of abolition of the post of the Archæological subordinate in charge of the conservation of historical monuments in Sind?

(b) If the reply to part (a) above be in the affirmative, will Government be pleased to state the reasons for doing so?

(c) Will Government be pleased to state whether it is contemplated to transfer the work of conservation to regular Public Works Department in Sind?

(d) Are Government aware that work if done by ordinary Public Works Department subordinates, mostly drawn from irrigation branch with little or no knowledge of high class masonry work, would gradually lead to ruin of the monuments and defeat the very purpose which the Department aims to serve?

(e) Are Government aware that this new system under consideration was tried once in Sind some time ago, but it completely failed and the Government of Bombay were advised to revert to the old system and appoint an Archæological subordinate for the purpose?

(f) Are Government prepared to continue the post of the Archæological subordinate in charge of the conservation of historical monuments in Sind?

Sir Girja Shankar Bajpai: (a) and (b). The Director General of Archæology recently addressed to the Government of Bombay suggestions for making more economical arrangements for archæological works in Sind as the overhead charges involved in the maintenance of a whole time overseer are disproportionate to expenditure which, owing to financial stringency, has been limited for some years now to annual repairs and maintenance of the monuments protected. The Local Government's views are awaited and no decision has yet been reached.

(c) This has been suggested by the Director General of Archæology in India.

(d) Government await the views of the Government of Bombay who

(e) Government are not aware of the fact that any method was tried in Sind and proved a complete failure. On the other hand conservation work in Sind as in most other provinces has all along been carried out through the agency of the Public Works Department.

(f) I would refer the Honourable Member to the answer to parts (a) and (b).

MEDICAL OFFICERS ON BOARD THE SHIPS OF THE BRITISH INDIA STEAM NAVIGATION COMPANY.

903. ***Dr. T. S. S. Rajan:** (a) Will Government be pleased to state the number of medical officers on board the ships of the British India Steam Navigation Company, carrying passengers and plying in the Eastern waters?

(b) How many of them are Europeans and how many Indians?

(c) What is the scale of pay for both these ranks?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I will answer questions Nos. 903, 904, 905, 906 and 907 together.

Government have no information on any of the questions put by the Honourable Member. Government's responsibility for the medical arrangements on ships is limited to seeing that properly licensed medical officers are provided on unberthed passenger ships and pilgrim ships carrying more than 100 unberthed passengers or pilgrims, and that the medical stores prescribed by rules under the Indian Merchant Shipping Act are carried.

MEDICAL OFFICERS ON BOARD THE SHIPS OF THE BRITISH INDIA STEAM NAVIGATION COMPANY.

†904. ***Dr. T. S. S. Rajan:** (a) Are the services of the doctors employed by the British India Steam Navigation Co., temporary or permanent?

(b) Will Government be pleased to state the terms of the tenure of their services?

(c) What are the leave rules and the pay relating to it?

(d) Is there any difference with regard to full pay leave between the European and Indian medical officers?

RESERVE OFFICERS IN THE MEDICAL SERVICE OF THE BRITISH INDIA STEAM NAVIGATION COMPANY.

†905. ***Dr. T. S. S. Rajan:** (a) Are there reserve officers in the medical service of the British India Steam Navigation Co., kept ready to take the place of those that are disabled by illness or on account of some other emergency?

(b) Does the doctor who is disabled by illness get any leave allowance and security of tenure in the service on account of the leave?

HOURS OF DUTY OF MEDICAL OFFICERS ON BOARD THE SHIPS OF THE BRITISH INDIA STEAM NAVIGATION COMPANY.

†906. ***Dr. T. S. S. Rajan:** (a) What are the hours of duty of the doctors on board the ships of the British India Steam Navigation Co.?

(b) Is there any difference between the European and Indian doctors in this respect?

MINIMUM MEDICAL QUALIFICATION FOR ENTRANCE INTO THE SERVICE OF THE BRITISH INDIA STEAM NAVIGATION COMPANY'S STEAMERS.

†907. ***Dr. T. S. S. Rajan:** (a) What is the minimum medical qualification required for entrance into the service of the British India Steam Navigation Company's steamers?

(b) In case the qualification is that required for Assistant Surgeons in Government employ, do they receive the same pay in the naval service of the British India Steam Navigation Co.?

(c) If they are not getting the same pay, will Government be pleased to state the reasons?

AMENDMENTS OF THE RULES FOR COMPETITIVE EXAMINATIONS FOR THE INDIAN CIVIL SERVICE.

908. ***Pandit Govind Ballabh Pant:** (a) Has the Secretary of State in Council amended the rules for competitive examinations for the Indian Civil Service to be held in India and regulations for probation in the United Kingdom of selected candidates for the Indian Civil Service recently?

(b) Will Government please lay a copy of the amendments on the table?

(c) Do these amendments empower the Governor General in Council to disqualify a candidate, even after his selection for appointment on the result of the competitive examination?

(d) Are these amendments to come in operation forthwith?

(e) Why were these amendments considered necessary and what was the urgency?

The Honourable Sir Henry Craik: (a) Yes.

(b) I would invite the attention of the Honourable Member to the Home Department Notification No. F. 75/35-Ests., dated the 5th December, 1935.

(c) The Governor General in Council can, under the amendment to rule 24 of the rules for the examination held in India, disqualify a candidate only before the commencement of his probation.

(d) Yes.

(e) The amendments were made by the Secretary of State in Council to prevent the appointment to the Indian Civil Service of candidates whose qualifications are found to be unsatisfactory subsequent to their selection.

Mr. Lalchand Navalrai: With regard to (c), will the Honourable Member please state whether it is in their discretion to disqualify a candidate, or there are any grounds upon which he could be disqualified?

† For answer to this question see answer to question No. 903.

The Honourable Sir Henry Craik: He would not be disqualified unless a definite disqualification was found to exist.

Mr. Lalchand Navalrai: What are those reasons, if he has passed the competitive examination successfully?

The Honourable Sir Henry Craik: Something may come to the notice of Government subsequently. For example, in one case, to the best of my recollection, a candidate who had been declared to be successful, was found to have deliberately misstated his age, and it was found that he was, in fact, over the prescribed maximum age. He produced a forged document, and that was considered sufficient reason to disqualify him.

Pandit Govind Ballabh Pant: Do these rules apply only to the Indians recruited in India and not to the European or British candidates recruited in England?

The Honourable Sir Henry Craik: These particular rules relate to the competitive examination held in India, but, as far as I remember, there are corresponding rules applying to the examination held in England. In that case, it would be for the Civil Service Commissioners, and not for the Governor General in Council, to disqualify the candidate.

Pandit Govind Ballabh Pant: Have these corresponding rules been made only recently or have they been there from before?

The Honourable Sir Henry Craik: The original rules are of long standing. The modifications referred to in the question were made only in December last.

Pandit Govind Ballabh Pant: Have any amendments been made recently affecting the British candidates recruited in the United Kingdom?

The Honourable Sir Henry Craik: I must ask for notice of that.

Pandit Govind Ballabh Pant: Is it a fact that candidates are required to furnish a number of certificates and careful inquiries are made before they are admitted even to the competitive examination?

The Honourable Sir Henry Craik: In India?

Pandit Govind Ballabh Pant: Yes.

The Honourable Sir Henry Craik: I have got the rules here. It will take me some time to look through them. The candidate has to satisfy the Public Service Commission that his character is such as to qualify him for employment in the Indian Civil Service, and, for that purpose, he would no doubt have to produce certain testimonials.

Pandit Govind Ballabh Pant: Will these persons be given an opportunity of having their cases examined by the Public Service Commission before they are disqualified?

The Honourable Sir Henry Craik: That is done.

Pandit Govind Ballabh Pant: Will charges be framed against them and proper explanations called for?

The Honourable Sir Henry Craik: I cannot definitely say whether formal charges are framed, but in every case, a very full inquiry is made and the candidate has ample opportunity of rebutting the charges.

Pandit Govind Ballabh Pant: Are there any corresponding rules affecting the recruitment to the Imperial Services in Great Britain, which would entitle the Secretary of State to expel from service any probationer after he has qualified for the service and has been admitted to its cadre?

The Honourable Sir Henry Craik: I imagine that there are, but I cannot say for certain.

Pandit Govind Ballabh Pant: Will the Honourable Member refute my statement that there are no such rules affecting the recruitment of candidates to the Imperial Services in the United Kingdom?

The Honourable Sir Henry Craik: What services is the Honourable Member referring to?

Pandit Govind Ballabh Pant: The Indian Civil Service and the Indian Police Service.

The Honourable Sir Henry Craik: Certainly, Sir. The Secretary of State has power to turn out from the service any candidate, even if he is accepted as a probationer, if facts come to light which disqualify him from being a useful member of the service.

Pandit Govind Ballabh Pant: Has any candidate been turned out so far?

The Honourable Sir Henry Craik: Yes, several, to my knowledge, both English and Indian.

Pandit Govind Ballabh Pant: Is there not a tendency in these days in England to tighten the rules so far as the recruitment of Indians to the I. C. S. and other all-India services is concerned, which has recently taken shape in the acceptance of a proposal in the House of Commons to the effect that the fifty fifty proportion will be rigidly enforced now?

The Honourable Sir Henry Craik: I do not quite follow what the Honourable Member means by "a tendency to tighten the rules".

Pandit Govind Ballabh Pant: I mean what the words indicate,—so as to make it more difficult for Indians and make them more subservient to Imperialist interests.

The Honourable Sir Henry Craik: The rules regarding the eligibility of Indians for the I. C. S. by means of an examination in England have not, so far as I am aware, been altered in any respect recently.

APPOINTMENT OF MR. H. G. FRANKS AS NEWS EDITOR OF THE DELHI
BROADCASTING STATION.

909. ***Pandit Govind Ballabh Pant:** (a) What are the sanctioned emoluments of the post of the News Editor of the Delhi Broadcasting Station?

(b) Has the post been filled from the first of January this year?

(c) Who has been appointed to it?

(d) Was the post advertised and were applications invited?

(e) Was any Board of Selection appointed?

(f) How many applications were received?

(g) Is it a fact that Mr. H. G. Franks has been appointed News Editor of the Delhi Broadcasting Station?

(h) Was no competent Indian available for the post?

(i) Did Mr. Franks write the book called 'Queer India', and did the *Times Literary Supplement* write as follows, in its review of 'Queer India', on December 1, 1935?

"Mr. Franks, who is a journalist has made a collection of sensational news-items appearing in the Indian Press over a period of 12 months. The result is somewhat damnnatory of India; but it is scarcely fair to build up an indictment of a people in this manner. An Indian employing the same method might without over-much difficulty represent to his fellow countrymen the life of England as a delirium of suicide, murder, motor-banditry, divorce, smash-and-grab raiding"?

"Mr. Franks does not seem to realise that in certain matters people may genuinely and reasonably differ in opinion on what is advantageous". "It is far too wild, too summary, to speak of caste in general as a curse and in particular as an instrument of oppression devised and wielded by a Brahmin oligarchy."

(j) Had the member in charge seen 'Queer India' and the above extracts from the review of the book in the *Times Literary Supplement* before making the appointment?

(k) Has Mr. Franks been appointed only temporarily?

The Honourable Sir Frank Noyce: (a) The present emoluments of the News Editor, Delhi Broadcasting Station, who is also the editor of "Indian Listener" are Rs. 700 per mensem. The question of the permanent emoluments is under consideration.

(b) The post was filled on the 2nd January, 1936.

(c) Mr. H. G. Franks.

(d) and (e). No.

(f) Does not arise.

(g) Yes.

(h) The appointment was made at very short notice and there was no time to invite applications.

(i) The reply to the first part is in the affirmative. As regards the second part, there was no issue of the *Times Literary Supplement* on the 1st December, 1935.

(j) No.

(k) Yes.

Mr. Akhil Chandra Datta: Do Government now realise that it was extremely unfair to India to appoint such a man as the editor of such a book as the News Editor of the Broadcasting Station?

The Honourable Sir Frank Noyce: The Honourable Member, Sir, is, I think, asking me to express an opinion?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is objecting to it; he is quite right under the Standing Orders. The Chair thinks all these questions were really answered just now.

Mr. Akhil Chandra Datta: Will Government consider the desirability of not appointing him when the permanent appointment is made?

The Honourable Sir Frank Noyce: I have already answered that question. I have already assured the House that, in making permanent arrangements, the necessity for absolute impartiality in regard to news from the Delhi or any other broadcasting station will be borne in mind.

Mr. President (The Honourable Sir Abdur Rahim): Dozens of supplementary questions have already been asked.

Pandit Govind Ballabh Pant: I think I may kindly be allowed to ask one or two.

Mr. President (The Honourable Sir Abdur Rahim): The Chair cannot allow that; the Honourable Member was not in the House when all these questions were asked.

Mr. S. Satyamurti: May I ask one question? (Laughter.) I am always here.

Mr. President (The Honourable Sir Abdur Rahim): There must be a limit really. The Chair cannot allow that.

Mr. S. Satyamurti: Sir, a man is appointed who abuses us, and . . .

Mr. President (The Honourable Sir Abdur Rahim): All these questions were asked.

Mr. S. Satyamurti: As regards the appointment of this man? I hardly think so, Sir. This particular review was not interrogated about in the earlier questions,—*vide* part (i) of this question—and here we find that this man is a gross anti-Indian; are we not entitled to ask one or two questions of the Government, in connection with this review?

May I ask whether, after reading the extract here, Government do not realise that it is unfair to India to appoint a gentleman who holds such violent opinions against India, as the News Editor of India even for a day?

The Honourable Sir Frank Noyce: I repeat, again, Sir, that the Honourable Member is asking me to express an opinion.

Mr. S. Satyamurti: Do they realise, after reading this extract, that it is not right to appoint a man who holds such anti-Indian views to this important post? Either they do realise it, or do not realise.

The Honourable Sir Frank Noyce: I ask your ruling, Sir, whether I am not being asked to express an opinion.

Mr. S. Satyamurti: Do they, or do they not, realise it? That is not a matter of opinion—it is a question of fact. I am asking for facts, and not for an expression of opinion. Do they realise it or not?

The Honourable Sir Nripendra Sircar: Sir, my Honourable friend asks. "Do Government realise that it is not right to do this and that?"—"realise" what, Sir?—"whether this thing is right or not". Well, that is a question of opinion certainly.

Mr. President (The Honourable Sir Abdur Rahim): At any rate, it is an inference which the Honourable Member is making.

Pandit Govind Ballabh Pant: In view of what the *Times Literary Supplement* has said regarding this book, do Government now feel that they committed a mistake when they appointed this gentleman? (Laughter.)

The Honourable Sir Frank Noyce: Sir, I have supplied the House with all the information I can give on this subject, and I should have thought it was open to the House to draw inferences from the statements I have made.

Pandit Govind Ballabh Pant: Will Government now make it an invariable rule not to appoint anybody without advertising the post?

The Honourable Sir Frank Noyce: No, Sir. Government cannot accept that proposition.

EFFECT OF THE APPLICATION OF SANCTIONS AGAINST ITALY.

910. *Pandit Govind Ballabh Pant: (a) What has been the effect of the application of Sanctions against Italy? How has it affected the trade of this country?

(b) Have Government made any attempt to find fresh outlet for the goods formerly exported to Italy?

(c) What was the value of the annual exports to Italy, and how do Government intend to assist producers and exporters of such commodities?

Sir Aubrey Metcalfe: (a) The Government of India are not in a position to say what the general effect has been of the application of sanctions against Italy. So far as India is concerned, it is too early yet to determine the effect of sanctions on Indian trade.

(b) and (c). The Government of India are watching the effect of sanctions on Indian export trade with a view to considering what action, if any, should be taken in the event of the export trade with Italy not being replaced by exports to other countries. As regards the value of the annual exports from India to Italy, the Honourable Member is referred to the annual statement relating to the Sea-borne Trade and Navigation of British India and the monthly Sea-borne Trade Accounts of British India, copies of which are in the Library of the House.

Pandit Govind Ballabh Pant: Is it a fact that the balance of trade has always been in favour of India, by several crores?

The Honourable Sir Muhammad Zafrullah Khan: Yes. I do not know whether it could be described as having been in favour of India by several crores, but it has been in favour of India.

Pandit Govind Ballabh Pant: It has been five crores to eight crores in favour of India?

The Honourable Sir James Grigg: No, no.

Pandit Govind Ballabh Pant: Is it not a fact that, in consequence of this embargo on exports to Italy, the producers of these goods have had their markets curtailed?

The Honourable Sir Muhammad Zafrullah Khan: Surely that does not require an answer.

Pandit Govind Ballabh Pant: Are not Government looking for some other outlets in order to replace the markets that have been closed to India now?

Sir Aubrey Metcalfe: I have already said, Sir, that they are considering what action, if any, should be taken in the event of the export trade with Italy not being replaced by exports to other countries. It is too early yet to say what the effect will be.

Pandit Govind Ballabh Pant: Have Government any doubt as to our export trade with Italy being affected by this measure?

Sir Aubrey Metcalfe: I did not say "affected": I said: "in the event of the export trade with Italy not being replaced by exports to other countries".

Pandit Govind Ballabh Pant: Will Government consider the matter after a year or two have elapsed, when they have seen the compiled returns?

Mr. B. Das: May I ask the Honourable the Foreign Secretary or the Honourable the Finance Member what are the methods or plans which the Government of India possess in order to stimulate exports to other countries, when exports to Italy are banned?

The Honourable Sir James Grigg: That is a matter for debate.

Mr. Sami Vencatachalam Chetty: Is it not a fact that, under some Covenant of the League of Nations, other nations are compensated for the loss of their trade with Italy?

Sir Aubrey Metcalfe: No, not at present.

SELECTION OF OFFICERS FOR TRAINING IN THE FINANCE DEPARTMENT.

911. ***Pandit Govind Ballabh Pant:** (a) Have Government selected any officers for training in the Finance Department for service in the provinces after the introduction of the new constitution?

(b) What is their number?

(c) How many of them belong to the Indian Civil Service, and how many are Indians?

The Honourable Sir James Grigg: (a) No, but Provincial Governments have at our suggestion.

(b) and (c). Ten, of whom six are Indians. Nine of the ten are Indian Civil Service officers.

Mr. T. S. Avinashilingam Chettiar: Out of the six Indians, were not three already in the Financial Service?

The Honourable Sir James Grigg: I do not know anything about that. We suggested to the Provincial Governments that they might like to have certain number of officers trained in the Finance Department. They have chosen ten, out of whom six are Indians.

Pandit Govind Ballabh Pant: Was there any suggestion—I am not making any insinuation—from the Finance Department of the Government of India to the effect that it would be better if they gave preference to Officers belonging to the Indian Civil Service?

The Honourable Sir James Grigg: I do not know about that. I should want notice. If I am allowed to give a little more information, I may say there was a suggestion in certain organs of the Congress Party that we had ourselves selected 40 people of whom only two were Indians. That was contradicted the very next day, but some of these organs have continued to repeat the first story.

Mr. T. S. Avinashilingam Chettiar: Why are so many Europeans selected and only six Indians?

The Honourable Sir James Grigg: The Honourable Member is repeating quite maliciously the same insinuation as that which appeared in the Congress organs. I said ten people have been selected, out of whom six are Indians which means that there are only four Europeans.

Pandit Govind Ballabh Pant: Is it proper for the Honourable Member to attribute malice?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will please withdraw that word.

The Honourable Sir James Grigg: I withdraw the word "maliciously".

COMMUNAL REPRESENTATION IN MAKING PROMOTIONS ON THE NORTH WESTERN RAILWAY.

912. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the Government Resolution of July 1934, on communal representation in services, clearly provides that the vacancies to be filled on the railways by promotion will continue to be filled solely on merit and seniority?

(b) Are Government aware that the Railway Board have issued instructions to the effect that communal representation should be ensured in making promotions from inferior to subordinate services on the North Western Railway? If so, why have these orders by the Railway Board been issued in contravention of the Government Resolution?

(c) Do Government propose to stick to their policy indicated in the aforesaid Resolution and direct the Railway Board not to contravene it? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) If the Honourable Member will refer me to the instructions which the Railway Board have issued I shall look into the matter.

(c) Does not arise.

SUPERIOR MEDICAL OFFICERS ON STATE RAILWAYS.

913. ***Dr. Ziauddin Ahmad:** (a) What is the total number of superior medical officers on the State Railways?

(b) How many of them are Muslims?

(c) When is the most senior Muslim officer due to retire?

(d) What is the length of service of the next senior Muslim medical officer?

The Honourable Sir Muhammad Zafrullah Khan: (a) The total number of officers in the superior service of the Medical Department on the State-managed Railways, including one Malariologist, is forty-one.

(b) Four.

(c) 4th January, 1939.

(d) The length of service of the next senior Muslim medical officer was six years and nine months on 1st February, 1936.

Syed Ghulam Bhik Nairang: Will Government be pleased to consider the desirability of increasing the proportion of senior medical officers in the medical service?

The Honourable Sir Muhammad Zafrullah Khan: In what manner?

Syed Ghulam Bhik Nairang: By employing senior Muslim medical officers?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid I do not know how to increase the proportion among the senior posts?

The Honourable Sir Muhammad Zafrullah Khan: I am asking the Honourable Member to suggest ways and means.

Syed Ghulam Bhik Nairang: I have suggested the employment of more senior Muslim medical officers.

The Honourable Sir Muhammad Zafrullah Khan: When direct recruitment is made to any of the cadres, the proportions are observed, and that is the method that is being followed. I am not aware of any other that I can follow.

Syed Ghulam Bhik Nairang: As far as I understand this, it is not always by direct recruitment that this railway medical service is organised. Medical officers are sometimes imported from other services.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is not putting any question.

PROVISION OF CHEAP FINANCE TO THE COTTON GROWERS.

914. ***Mr. M. Ananthasayanam Ayyangar:** (a) Has any scheme been evolved for tackling the problem of providing the cotton growers in the several provinces with cheap finance, simultaneously easing the burden of their indebtedness as indicated on page 3 of the Indian Central Cotton Committee Report (second edition)?

(b) If so, what are the measures proposed in the Madras Presidency? Have any measures been given effect to, and with what result?

(c) If not, how long has the proposal been under consideration, and at what stage is it at present?

(d) Has the working out of the schemes, if any, been left to the Local Government or is there a central scheme for the whole of India?

Sir Girja Shankar Bajpai: (a) to (d) The Honourable Member presumably refers to the report on the finance and marketing of cultivators' cotton in Madras, dated 1927-28. The primary object of the investigations carried out by the Indian Central Cotton Committee in the Provinces was the study of cotton marketing, a secondary object being the finance of the cotton growers. The general result of the enquiry showed that the cultivator was not so hampered by his debts that he could not take advantage of regulated markets. Action on the reports was a matter for Local Governments and the Madras Government undertook legislation for the regulation of primary cotton markets as evidenced by the Madras Commercial Crops Markets Act, 1933.

Prof. N. G. Ranga: Are Government aware that till now not even one open market has been declared or organised in the whole of the Madras Presidency?

Sir Girja Shankar Bajpai: I am prepared to take that as my Honourable friend's information.

COST OF GROWING COTTON, SUGAR-CANE, ETC.

915. ***Mr. M. Ananthasayanam Ayyangar:** (a) At what stage is the inquiry by the Central Cotton Committee into the cost of growing cotton, sugar-cane and their rotation crops in the principal cotton and sugar-cane

(b) Has the cost of sugarcane and cotton production been ascertained in the Madras Presidency?

Sir Girja Shankar Bajpai: (a) and (b). I would refer the Honourable Member to part (b) of the answer I gave to Mr. Ranga's question No. 711 on February 20th.

Mr. M. Ananthasayanam Ayyangar: I was present when that answer was given. May I take it that it is still in progress? When will the conference be completed and when will the report be ready?

Sir Girja Shankar Bajpai: I said, when I answered the previous question, that investigations were to take three years, that those three years would expire in September, 1936, and that we would publish the results as soon after that as possible.

FAMINE CONDITIONS PREVAILING IN CERTAIN COTTON-GROWING DISTRICTS IN THE MADRAS PRESIDENCY.

916. ***Mr. M. Ananthasayanam Ayyangar:** (a) Are Government aware that serious famine conditions have been prevailing in the cotton growing districts of Cuddapah, Kurnool, Anantapur, and Bellary in the Madras Presidency?

(b) Will Government be pleased to state if the famine conditions adversely affected cotton growing during the past two years in those districts, and if so, to what extent?

(c) Are Government prepared to render financial help, directly or through the Local Government or the Indian Central Cotton Committee, to the cotton growers in those districts during the current and coming years?

Sir Girja Shankar Bajpai: (a) Famine conditions prevailed in 1935, in the Anantapur and Bellary districts, and in the Cuddapah and Kurnool districts seasonal conditions were reported to be unsatisfactory.

(b) Government have no specific information in regard to the effect in those districts on cotton of the conditions described in the answer to part (a).

(c) The rendering of assistance of the kind mentioned by the Honourable Member is primarily the concern of the Local Government.

Prof. N. G. Ranga: What was the nature of the assistance rendered to the cotton growers there during the famine time and also now by the Central Cotton Committee?

Sir Girja Shankar Bajpai: It is not the function of the Central Cotton Committee to render assistance to individual cotton growers because of famine conditions.

ENCOURAGEMENT OF THE PRODUCTION OF LONG STAPLE COTTON IN CERTAIN DISTRICTS IN THE MADRAS PRESIDENCY.

Sir Girja Shankar Bajpai: Yes. Attention is invited to pages 24—26 and page 38 of the report of the Indian Central Cotton Committee, Bombay, for the year ending 31st August, 1935, which will be found in the Library of the House. The result has been a steady increase in the area under improved strains of cotton.

Prof. N. G. Ranga: Are Government aware of the fact that no attempt has so far been made in the ceded Districts to raise this long staple cotton, and that the Indian Central Cotton Committee, which was appointed in 1926-27, recommended that experiments should be made for the growing of long staple cotton in the ceded Districts?

Sir Girja Shank Bajpai: If my Honourable friend would do the Committee the honour of reading the report to which I have referred, he will find that research has been undertaken for the purpose which he has mentioned.

Prof. N. G. Ranga: Not long staple cotton.

OPENING OF A BRANCH OF THE TECHNOLOGICAL LABORATORY AT COIMBATORE
AND AGRICULTURAL RESEARCH REGARDING COTTON GROWING.

918. ***Mr. M. Ananthasayanam Ayyangar:** (a) Are Government prepared to consider the desirability of opening a branch of the Technological Laboratory at Coimbatore, attached to the main Laboratory at Bombay under the Indian Central Cotton Committee?

(b) What, if any, is the number of students taken from the Madras Presidency for the purpose of agricultural research regarding cotton growing since the formation of the Indian Central Cotton Committee?

(c) Are there any, and if so, how many, persons from the Madras Presidency, engaged in the research, publicity and propaganda departments of the Indian Central Cotton Committee?

Sir Girja Shankar Bajpai: (a) Such a branch has been in existence since 1928.

(b) Approximately four up to August 1935.

(c) Yes: approximately 26 including research and propaganda schemes under the Madras Department of Agriculture financed by the Indian Central Cotton Committee.

Prof. N. G. Ranga: What is the total number of research workers employed, and what is the proportion of these persons that come from Madras?

Sir Girja Shankar Bajpai: I have already said that in all 26 persons are employed, including for research and propaganda schemes. I can also refer my Honourable friend to Appendix XI of the report for 1935 which will give him details.

Prof. N. G. Ranga: Are all these four students already employed by the Madras Government in the Agricultural Department?

REPRESENTATION OF COTTON GROWERS IN THE MADRAS PRESIDENCY ON THE
INDIAN CENTRAL COTTON COMMITTEE

919. ***Mr. M. Ananthasayanam Ayyangar:** Is there any representation at present on the Indian Central Cotton Committee for the cotton growers in the Madras Presidency? If so, how many? If not, why not?

Sir Girja Shankar Bajpai: Yes; two. The last part of the question does not arise.

Prof. N. G. Ranga: Is it not a fact that these two so-called representatives of the growers are nominated by the Madras Government and do not represent any district or *taluka* or provincial peasants' association there in the Madras Presidency?

Sir Girja Shankar Bajpai: That they are nominated by the Government of Madras is correct. The other statements of my Honourable friend express his own opinion.

Prof. N. G. Ranga: Will Government try to ascertain whether it is true that these representatives represent no peasants' association at all in the Madras Presidency?

Sir Girja Shankar Bajpai: If my Honourable friend is not satisfied with the representation, it is open to him to represent the matter to the Government of Madras.

Mr. M. S. Aney: Is it not a fact that one of these representatives must be from the Madras Legislative Council?

Sir Girja Shankar Bajpai: No, Sir; there is no provision that he must be from the Madras Legislative Council.

Mr. M. S. Aney: But I have seen that, so far as the other provinces are concerned, one of them is taken from the Legislative Council.

Sir Girja Shankar Bajpai: I am very glad to hear that.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred question No. 37, asked by Mr. V. V. Giri on the 4th February, 1936.

RETRENCHED STAFF AND EX-STRIKERS OF THE GREAT INDIAN PENINSULA
RAILWAY AWAITING EMPLOYMENT.

A statement compiled from information readily available is laid on the table.

Statement showing the number of Retrenched Staff borne on the Waiting lists on 31st December 1935, the number of Subordinate Staff recruited between 1st July, 1935, and 31st December, 1935, on certain principal railways and the number of ex-strikers of the Great Indian Peninsula Railway awaiting Re-Employment, on 1st December, 1935.

| Railways. | Number of retrenched staff borne on the waiting list on 31st December, 1935. | Number of re-appointed staff between 1st July, 1935 and 31st December, 1935. | Number of subordinate staff recruited between 1st July, 1935 and 31st December, 1935. | Number of ex-strikers of the G. I. P. Rly. awaiting re-employment on 31st December, 1935 as reported by the Agent, G. I. P. Rly. | | Remarks. |
|-----------------------------------|--|--|---|--|---------------|----------|
| | | | | I Wtg. List. | II Wtg. List. | |
| North Western | 1,136 | 313 | 199 | .. | .. | .. |
| Eastern Bengal | 120 | 17 | 406 | .. | .. | .. |
| Burma . . . | 1,113 | 54 | Figures not available | .. | .. | .. |
| Great Indian Peninsula | 1,931 | 349 | 198 | 112 | 2 | 2,858 |
| East Indian . . . | 2,729 | 300 | 586 | .. | .. | .. |
| Assam Bengal | 193(a) | 416 | 121 | .. | .. | .. |
| Madras and Southern Mahratta. | 259 | 81 | 351(b) | .. | .. | .. |
| South Indian . . . | 156(c) | 12(c) | 158 | .. | .. | .. |
| Bombay, Baroda and Central India. | 400(d) | 82 | 346 | .. | .. | .. |
| Bengal Nagpur . . . | 237 | 67(e) | 163 | .. | .. | .. |
| Rohilkund and Kumaon . | 112 | 6 | 39 | .. | .. | .. |
| Bengal and North Western | 33 | Nil | 110 | .. | .. | .. |

(a) The Agent, A. B. Rly., reports that this figure represents staff most of whom had refused appointments offered and that the whereabouts of some others are not traceable.

(b) This figure relates to the period from 11th April, 1935 to 31st December, 1935.

(c) The Agent, S. I. Rly., reports that this figure includes temporary staff.

(d) The Agent, B. B. & C. I. Rly., reports that this figure represents workshop staff including menials.

(e) Includes staff appointed temporarily.

Information promised in reply to unstarred questions Nos. 83 and 86 asked by Mr. Muhammad Azhar Ali on the 4th February, 1936.

‘QUALIFICATIONS FOR THE POSTS OF TRANSPORTATION INSPECTORS, COMMERCIAL, ON THE EAST INDIAN RAILWAY.

83. (a) I presume the Honourable Member is referring to the orders issued by the Chief Operating Superintendent (who as a principal officer was acting on behalf of the Agent) in 1923 which required the Transportation Inspectors Commercial to pass the goods accounts examination. These orders were, however, modified in 1932, and although the Transportation and Commercial Inspectors are now encouraged to pass this examination it is no longer obligatory

(b) No such protest has been made by the Chief Accounts Officer.

(c) The seven posts referred to were posts of Joint Transportation and Commercial Inspectors and two of the persons selected for them had passed the Goods Audit examination (now known as the Goods Accounts examination, higher standard), the remaining five had not passed this examination.

(d) The selection board did not contravene any orders since the passing of the examination was not obligatory.

(e), (f) and (g). No.

(h) The reply to the first part is in the affirmative. As regards the latter part Government are informed that the reply referred to Transportation Inspectors Commercial which category has been very largely replaced by Joint Transportation and Commercial Inspectors who are not required to pass the examination.

QUALIFICATIONS FOR PROMOTION TO THE POSTS OF GOODS CLERKS AT THE HOWRAH GOODS SHED.

86 (a) Yes, but the examination referred to was the goods accounts examination (lower standard).

(b) Yes, the orders had the approval of the Chief Operating Superintendent who as a principal officer was acting on behalf of the Agent.

(c) No.

(d) (i) Yes.

(ii) All posts of goods clerks are not treated as selection posts. For such posts as are treated as selection posts, selection boards were held.

(iii) Candidates for promotion need not necessarily have passed the goods examination as a certain time is allowed for candidates to qualify themselves after being selected.

(iv) to (ix) It is not possible to reply to these parts of the question because Government are not aware of the names of the men concerned, nor of the dates and places of selection boards. These are matters of detailed administration in which full powers have been delegated to the Agent and Government do not consider that the labour and expense involved in collecting the information will be commensurate with the results likely to be achieved.

(e) An employed who has a grievance has the right of appeal through the recognised channels.

(f) Does not arise.

Information promised in reply to starred question No. 468, asked by Dr. N. B. Khare (on behalf of Mr. Muhammad Azhar Ali) on the 14th February, 1936.

RACIAL DISCRIMINATION IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

(a) Government are informed that during the last two years only one request was received from an Indian subordinate employee for the electrification of his quarters on the Moradabad division, and no such request was received from any European or Anglo-Indian employee during this period.

(b) Government are informed that a few European and Anglo-Indian staff the maximum of whose grades does not rise above Rs. 126 are occupying electrified quarters. These quarters were already electrified when they occupied them and no demand to occupy them by the Indian staff has been made. Government further understand that the electrification of quarters which are usually occupied by Indian subordinates in grades the maximum of which exceeds Rs 125 is proceeding, as far as funds permit, every year.

(c) There is no racial discrimination.

(d) Does not arise.

Information promised in reply to unstarred questions Nos. 155, 157, 161 and 168 asked by Mr. Amarendra Nath Chattopadhyaya on the 18th February, 1936.

REGULATIONS REGARDING DISCIPLINARY ACTION AGAINST RAILWAY STAFF.

155. Government are informed as follows :

(a) (i) Yes.

(ii) Yes, on the 22nd June, 1935.

(iii) Yes, on the 5th August, 1935

(iv) Yes.

(v) Yes, a few cases have been reported and investigated, and it has been found generally that the rules were observed. Non observance of the rules is taken up with the person concerned.

(vi) No, but a pamphlet is at present under print and will be circulated in due course.

(vii) Yes.

(viii) The reply to the first part is in the affirmative. As regards the latter part it is not intended to publish them in the Eastern Bengal Railway Gazette as they are meant for official use only.

(ix) Yes, as permissible under the rules.

(x) No.

(b) Provision has been made in the rules for the issue of charge sheets, and no bar has been placed on their issue by senior subordinates. In any case, such a charge sheet and its reply would have to be dealt with by an officer, and another charge sheet would be served by the officer on the employee concerned before any punishment was inflicted.

(c) I would invite the Honourable Member's attention to my reply to part (a) (vi)

SUBMISSION OF PETITIONS OR MEMORIALS TO THE GOVERNOR GENERAL IN COUNCIL.

157. (a) (i) and (ii). Yes.

(b) In the interests of administration.

(c) Yes, on the East Indian Railway.

(d) No, provided a petition or memorial lies under the rules to the Governor General in Council.

(e) The expression 'terms of contract' mentioned in rules 15 and 16 are understood to include service agreements executed by non-gazetted staff appointed on State-managed Railways.

ABOLITION OF THE POSTS OF SUPERINTENDENT AND ASSISTANT SUPERINTENDENT OF THE WATCH AND WARD DEPARTMENT, EAST INDIAN RAILWAY.

161. (a) Yes.

(b) It was intended that steps should be taken to bring the organization of the Watch and Ward Department on the East Indian Railway more into line with that on the Great Indian Peninsula Railway.

(c). (d) (i) and (ii). The Board after further consideration decided to continue the existing cadre of the superior posts of the Watch and Ward Department up to 10th February, 1936.

(d) (iii) Yes

(d) (iv), (v) and (vi). No.

(e) (i) The Superintendent, Watch and Ward has been retained in his post in the interests of service and this is not against any rules or orders.

(ii) The suggestion had been made previously and the Railway Board agreed to its examination by the Agents of both the Railways.

(iii) and (v) Yes.

(iv) There has been no such attempt; the matter has been the subject of discussion orally and by correspondence between the Railway Board and the Agent, East Indian Railway.

(vi) No.

(vii) The Watch and Ward Departments on the Great Indian Peninsula Railway, North Western Railway and Eastern Bengal Railway are not directly under the control of the Agents.

(viii) No

(ix) Does not arise.

(x) The reply to the first part is in the negative, the latter part does not arise.

(f) No action is called for.

FILLING UP OF VACANCIES IN THE HIGHER GRADES OF THE SUBORDINATE RANKS ON THE EAST INDIAN RAILWAY.

168. (a) Government are informed that it is not a fact that the claims of employees in the normal avenue of advancement are not considered when promotions are made in the Howrah division.

(b) (i) and (ii). I presume the Honourable Member is referring to the promotion of staff in the goods sheds. If so, Government are informed that it is not necessary for an employee to pass the goods accounts examination before he can be considered for promotion. The passing of this examination, however, is a condition to be satisfied prior to confirmation.

(c) Yes, but it was only a draft rule circulated by the Agent for discussion with the heads of departments and was not finally adopted.

(d) As regards the first part of the question I would refer the Honourable Member to my reply to part (b) of the question. With regard to the latter part there are no definite rules laid down regarding the passing of the coaching examination. In the Howrah division the procedure is that staff who are posted on parcels and booking duties are required to pass the coaching examination.

(e) As regards the first part Government are informed that during the last six months only one promotion was made to the posts mentioned in part (d) and that was to the post of goods clerk, Ramkrishnapur; the person appointed has not yet passed the goods accounts examination due to only a limited number of candidates being permitted to sit at each examination. Arrangements have, however, been made for him to appear at an examination shortly. The latter part of the question does not arise.

(f) No special leave or other privileges are granted to staff in order to enable them to sit for the goods accounts or coaching examination.

(g) As regards the first part I would invite the Honourable Member's attention to my reply to part (b) of the question. The latter part does not arise.

THE RAILWAY BUDGET—LIST OF DEMANDS—*contd.*

DEMAND NO. 1.—RAILWAY BOARD—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The European Group 12 NOON. will now move their motion relating to the Railway Demands.

Creation of a Ministry or Department of Communications.

Mr. F. E. James (Madras: European): Sir, I beg to move:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100.”

The object of this motion is to discuss the question of road-rail competition, the necessity for co-ordination and the advisability of the creation of a Ministry or Department of Communications. In the first place, I should like to say that this controversy which has been carried on for a long time has given rise to a large number of misconceptions and also, if I may say so, exaggerations. The Honourable the Commerce Member in his budget speech claimed that the railways are our biggest national asset. Is he quite sure of his ground on that? They are certainly the most expensive asset. What about the roads? We claim that the interests of roads and rail development are not essentially antagonistic, and we suggest that the statement made by Sir Guthrie Russell at the Road-Rail Conference in 1933, where he speaks of the “luxury of dual forms of transport antagonistic to and in competition one with another”, illustrates a wrong approach to the problem. For, we say that these forms of development of the country are not antagonistic; we also claim that competition is not a luxury but is perfectly legitimate. Therefore, we consider, that it is wrong on the part of either one or the other to attempt to meet competition by impeding development. We suggest, for example, that it is wrong for the railways to hamper or cripple road development, as they are attempting to do in certain parts of the country, by raising freights upon material used for road construction, thus imposing an additional liability upon Local Governments in their road policy. Any movement to restrict the freedom and flexibility of road transport is not only bad for industry and bad for trade but must be ultimately bad for the railways themselves.

Now, Sir, we do not agree that the way to deal with this matter is to increase taxation upon road development or on road traffic. I have already referred to the tendency of railways in some parts to hamper road development by raising freights. I have information as to one example, not very far from here, where the additional cost to the Local Government, as a result of increased freights on materials used for road development, has been worked out at approximately two lakhs a year. We also suggest that this method of dealing with the problem is bad for the Central Government itself, because road development surely means that the transport facilities of this country will be increased and that the Government at the Centre will profit thereby. Take the petrol tax which at present is at the iniquitous figure of ten annas a gallon. The proceeds from that amount to about five crores and 30 lakhs. I believe the provinces get out of that upwards of a crore. That represents 290,000 tons of petrol. The consumption of petrol in Great Britain and Ireland alone is over four million tons, in France it is 2½ million tons; thus, to “crab” road development is certainly to kill one goose whose potential fertility is enormous. And, therefore, to “crab” the programme of road construction in the provinces will indirectly retard the circulation of motor transport and thus tend to diminish the revenue which at present accrues to the Central Government from the tax upon petrol. Then we claim that further to tax motor transport in the

provinces is a wrong way of dealing with the problem. Motor vehicles are already taxed high enough; in Madras they are actually taxed far more than they ought to be taxed. They are taxed through the petrol tax, through duties, through license fees, through provincial taxation, and through registration fees. I believe the total amount . . .

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): What is the difference between license fee and registration fee?

Mr. F. E. James: If my Honourable friend will look into the Madras rules, he will soon find out. There they impose license fees as a measure of taxation, quite apart from the registration fee.

The Honourable Sir Muhammad Zafrullah Khan: These are all provincial?

Mr. F. E. James: Yes, they are provincial. I understand that the total revenue raised from motor transport through these various means is between eight to nine crores of rupees a year, of which 55 per cent. goes to the Centre and about 45 per cent. goes to the provinces.

The Honourable Sir Muhammad Zafrullah Khan: For road development.

Mr. F. E. James: No, not necessarily. What we suggest is that the tax on motor transport should be further systematised and that registration and license fees should be standardised throughout the country. The argument really is this: that it is wrong to penalise either one or other form of transport in the endeavour to maintain a monopoly service either on the road or upon the railways. Competition has come to stay and it has got to stay. It is a very good thing that it has come to stay, and the railways must face it and meet it upon its own ground. Let me give the House one concrete illustration of the type of competition which appears to me to be perfectly legitimate, the competition by lorry as compared with rail. Take a merchant who has piece-goods to send up country. What happens when he wants to send his goods by rail? He has to take the goods by bullock cart to the station. Very likely he has to offer certain inducements to get the goods loaded on the waggon within a certain time. Then, the goods arrive at the rail-head of the destination. Again, if he is in a hurry, undoubtedly a certain further inducement must be offered to get the goods off the waggon; and then he has got to convey the goods to his own godown by bullock-cart. Now the man who operates a road transport service takes his lorry to that man's godown, takes the goods on board the lorry and gives a receipt for them. They are then taken by road and delivered direct to the godown up-country where the goods are to be sent. It is that kind of competition which is perfectly legitimate, which has had to be met in other countries and which will have to be met in this country. It is absolutely no use railways saying that is unfair competition, because it is not. But there is a distinction which must be drawn between what is legitimate and what is unfair competition. I would like to give illustrations of what we consider to be unfair competition, and perhaps the House will forgive me if I draw my illustrations, to a large extent, from my own province. Take the competition of buses with railways. It has been calculated that the economic bus fare may be taken as approximately five pies per mile; and yet you will find that on various

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road sections in South India, parallel to railway lines, the bus fares have been reduced to two pies per mile and a little less than that. The result is, that in order to retain even a small fraction of the traffic which the railways had before, they have had to reduce their charges to two pies per mile. Yet, the normal charge of third class railway travel on the Madras and Southern Mahratta Railway is four pies for the first 50 miles, and three and a half pies for the next 150 miles; and the lowest fare charged, I understand, on any railway system generally is two and a half pies per mile for the first 50 miles on the Bengal and North Western Railway. That kind of competition is not only unfair, but it is entirely uneconomic; it involves a loss both to the bus-owner because he cannot possibly make his bus pay, and it involves a loss to the railway.

Then, again, take goods traffic on lorries. There the kind of unfair competition which we think of is the competition that results by over-loading. I understand that recently a census was taken in Delhi, and it was found that last year practically every lorry coming into Delhi was over-loaded. If you calculate the average approximate running cost of a lorry of a certain weight and then overload that lorry to the extent, sometimes, of 25 or 50 per cent. you will find that the lorry is able to convey goods at a rate which is really below the economic rate and thus enter into what we describe as unfair competition with railways.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): What happens to the lorry finally?

Mr. F. E. James: Another illustration is this. I am talking now about over-loading of road transport. Take a case where a lorry takes a bus-load of matches. There is no restriction, from the point of view of public safety, upon the way in which they should be packed. On the other hand, if the railways take the same, they are bound down by certain restrictions, in the interests of public safety, as to how those matches should be actually packed. In other words, it is perfectly true that the railway companies are regulated by Statute, are under obligation to carry goods when tendered, and charge more or less a fixed rate on a certain classification system; whereas the professional hauler by road is under no such restriction, carries the goods when it suits his convenience or his pocket, and is under no obligation to accept traffic either in large or small quantities.

Now, what is the remedy as far as unfair competition is concerned? We suggest that most of the unfair competition could be eliminated by the proper regulation of road transport and by effective measures taken, by Local Governments particularly, in the direction of seeing that those regulations are in fact carried out on the roads. I am quite aware that this is a matter which concerns the provincial Governments intimately, but it surely is a matter on which the Government of India should take the most urgent and drastic steps. We suggest, for example, that the following regulations are required:

- first of all, regulations for standardisation of types of vehicles and regular inspection of buses;
- secondly, compulsory passenger and third party insurance;
- thirdly, uniform driving tests, with regular medical inspection;
- fourthly, punishments for over-crowding and also for over-loading;
- fifthly, limitation on the hours of work on the part of transport workers;

Mr. N. M. Joshi (Nominated Non-Official): Hear, hear.

Mr. F. E. James:... and

sixthly, publication of fares and time-tables to which the bus services should be compelled to conform.

These matters have been discussed before, and we have been promised legislation and amended rules. Where are they? Where is the amending Bill? I would like to ask my Honourable friend, the Member for Industries and Labour, as to whether he cannot tell us what is really happening in connection with these matters. If this is really urgent, then surely the Honourable the Commerce Member should bring pressure to bear upon his colleague to bring the regulations in his Department into line with modern requirements and, to use the words of his own Chief Commissioner, to put the railways and road transport services on an equal basis. But when we urge the need for regulation of motor transport services, we wish to emphasize that that alone is no answer to the fact that the efficiency of the railways has not succeeded in retaining the traffic which they have lost. A solution would lie, fundamentally, not in restricting other forms of transport, but in rejuvenating their own methods.

I suggest that these considerations lead once more to the need for increased co-ordination between the various communications. We have pressed this again and again on the floor of this House. Co-ordination, I know, is a blessed word in political parlance, like 'Mesopotamia' of old days. When we talk about co-ordination, we do not mean restriction; we really mean co-ordination. I notice that the wording of section 46 of the Road-Rail Traffic Act in the United Kingdom is as follows:—it refers to the constitution of a Traffic Advisory Council:

"... for the purpose of giving advice and assistance to the Ministry of Transport in connection with the discharge by him of his functions in relation to the means of, and facilities for, transport and their co-ordination, improvement and development."

That is the kind of thing we require, not only at the Centre, but in the provinces. Sir, the three interests mainly involved are, first of all, the railways (the Central Government), secondly, the road interests—I mean by road interests, the road development interests, (the Local Governments)—and thirdly, the public. I believe that in each province there should be a Communications Board which should, as far as possible, achieve a fair balance between all these three interests. These Boards ought to be small but effective. If I may say so the Madras Communications Board is a somewhat unwieldy Board on which the railway interests are heavily discounted. The kind of Board which we contemplate is the Punjab Board of Communications on its newly constituted basis.

Then, as far as the provinces are concerned, we believe that co-ordinating machinery there alone is not enough, and we urge that there should be similar co-ordinating authority in the Central Government to be presided over by one Member whose responsibility should extend to communications throughout the country. I believe that the urgency of this is sufficiently shown by the financial position of the railways as disclosed by the speech of the Honourable Member when introducing his railway budget; and, as a matter of fact, the Government have already accepted the principle of this. In 1934, Sir George Schuster, on behalf of the

[Mr. F. E. James.]

Government, accepted the general principle of a Portfolio of Communications. He said, of course, they would carry it out "as soon as a convenient opportunity occurs". That is another phrase like "giving the most careful consideration to this matter", which threatens to become historic. As a matter of fact, last year, a "convenient occasion" did occur, but nothing happened. Then, we again raised the question on the budget discussion, and Sir James Grigg was much more decisive, as he generally is. He not only confirmed the acceptance of the principle and said that he hoped that it would be carried out at a convenient opportunity—but he almost gave us hope that this could be done before the end of the last calendar year. He may have made a mistake in saying "calendar" instead of "fiscal"; but even so we have a very short time to go before the present fiscal year ends, and nothing appears to have been done so far. What is the next excuse, I wonder? I would ask the Honorable the Commerce Member one or two questions about this. What are the real difficulties in the way? A "convenient opportunity" will again occur within a few months. Are we then to wait until the report of the Wheeler Committee? Shall we then be told that the Statutory Railway Authority will be set up, only after part III of the Government of India Act is put into force? And when we come to that point, that we had better wait until Federation comes in? I suggest that co-ordination is urgent now in the interests both of road development and of railway development.

Then, there is one other argument, which we consider is an increasingly important argument, in favour of action being taken without delay, and that is the approach of Provincial Autonomy. The new autonomous units are much more likely to be jealous of encroachments upon their rights than the Local Governments of today, for the Local Governments of today take their orders from the Central Government. I might tell my Honorable friend that the Provincial Governments of the future will not be quite so ready to take their orders from the Central Government as the present Local Governments are. Therefore, it will be essential to enlist their co-operation in matters which involve important economic problems like the development of communications throughout the country. The approach of Federation further raises fundamental difficulties in regard to economic policy. There is, in different Federations in the world today, a growing danger of conflict in the economic sphere between the Centre and the individual units, and the separatist tendencies which are inherent in the proposed scheme for this country are likely to grow unless machinery to co-ordinate the various interests for the common economic good is set up. We have made a beginning in agriculture; we have made also a beginning in industry. I believe it will be essential to do something along those lines in regard to Communications. I would further point out that the new Legislature under Federation will be a very different body from the present one. The Federal Legislatures will in future represent much more nearly the interests of the Local Governments concerned, for they will reflect the composition of the Local Legislatures. Therefore, when the Federal Government of India comes to this House and asks for assistance in regard to railways, unless the principle of co-ordination has been accepted and put into practice they will find that the Federal Legislature will be much more jealous of the rights of the provinces than the existing Legislature is

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Mr. F. E. James: I would just draw to a close with two sentences. We believe that the adjustment of interests and the sublimation of the conflict of loyalties are essential in some way,—either through this method of co-ordinating machinery which I have endeavoured to outline, or through something more fundamental,—the sharing of financial commitments in regard to railway development as between the units and the Centre. But the choice which is being forced upon other countries where federal institutions exist is forced upon India today and India must make her choice between chaos and co-operation in one of the most important developments in India's economic life.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Sami Vencatachalam Chetty (Madras: Indian Commerce): Sir, I rise to participate in this debate not so much to repeat what has been so ably stated by my Honourable friend Mr. James, but to think along with the Government how to counteract the falling revenues of the railway system.....

Mr. S. Satyamurti (Madras City: Non-Muhammadian Urban): But; do the Government think?

Mr. Sami Vencatachalam Chetty: The Honourable the Commerce Member has stated in his budget speech that the fall in revenues of the railway system was due to three important causes, *viz.*, world depression and general collapse of commodity prices, the striving after self-sufficiency by almost every country in the world including India, and developing of internal trade production, the increase in motor competition, and to a lesser degree, river and sea competition. While I am inclined to agree that those three constitute perhaps the most important reasons for the fall of revenue, I am in a position to state that the Government have not gone beyond stating the reasons. I do not think the steps, which they have so far taken or which they have indicated to be put into force in the near future, are likely to be strong remedies for the causes which the Honourable the Commerce Member stated. World depression and general collapse of commodity prices is an argument which, in every department of the Government, and as a matter even in family circles, is being invoked. But there is no meaning in repeating that argument, so long as neither this Government nor any person is in a position to counteract that world depression. The alternative will be to find out how to adjust your existing circumstances having regard to the existing depression. I do not think Government have done anything in that direction by way of reducing the expenditure on railway systems. No step seems to have been taken to reduce expenditure effectively; and, if demands are made for the reduction of expenditure, perhaps the most vulnerable service for that kind of thing will be the labour, in which case they would again meet with opposition from the people. It is not in that direction that saving could possibly be effected, which would also

[Mr. Sami Venkatachelen Chetty.]

be agreeable to the general public. There are many spots in the railway administration where working expenses could be retrenched without endangering efficiency of the railway system; and with regard to the second argument that each country is trying to be self-sufficient, and, therefore, there must be a change in the trend of traffic, one entirely agrees. But the question is, whether this is not going to be a permanent feature in our country's industrial and commercial development; and having regard to the fact that India is also, in spite of many impediments, trying to be more and more industrialised and, therefore, trying to be self-reliant in the matter of commodities, one has got to take into consideration the inevitable fact that there would be a fall in the imports from other countries, and, therefore, there would be a fall in the long lead traffic. Having regard to that state of affairs, what is it that either the Railway Board or the Government have done in order to increase their revenue under the goods traffic, having in their mind the fall in the long lead traffic?

Now, with regard to question (c) about the increase in motor competition, I quite concede that this is a matter bristling with a number of difficulties almost as insuperable as they could possibly be. My Honourable friend, Mr. James, has really put the whole question almost in a number of paradoxes. He does not want that the motor transport should be affected, he wants that every form of transport should be alive and should be encouraged, and yet the railway revenues should increase. It is rather a difficult task, and the difficulty is further enhanced by the fact that the Government of India have not, so far as one could see, bestowed wholehearted attention and thought over this matter. I take it that the Honourable the Commerce Member depends, so far as the railway questions are concerned, on the Railway Board for guidance and advice. If that be so, the Railway Board, having only the interest of the Railways, will not be in a position to understand the other difficulties which confront the co-ordination of all the other forms of transport available in this country. It is in order that the Honourable the Commerce Member might bestow his wholehearted attention over this question that this cut motion has become relevant, otherwise there is no need for the formation of a separate Ministry of Transport. In the first place, Sir, there is no Ministry under the existing Constitution, and, in the second place, the mere fact of shifting the portfolio from one Member to another is not going to minimise our difficulties unless it be by an actual increase in the personnel of the Executive Council. I do not think we should be in a mood to encourage any increase in the present strength of the Executive Councillors and thereby add to the cost of administration. What we want is that the Honourable the Commerce Member or any other Executive Councillor who happens to be in charge of this Department must co-ordinate his thoughts and methods with those of the Local Governments and even perhaps with those of the Local Boards. Sir, roads are now in charge of Local Governments and also in charge of Local Boards. So far as the railway systems are Company-managed, one would have thought it necessary to encourage motor transport even at some inconvenience, and one should be advising the public to resort to motor transport, but railways having been a national asset, and, with perhaps a few exceptions having been dependent upon the general revenues,

it is necessary that we must protect the interests of the railway administration even against certain other competing transports which are not economically run. Now, Sir, so far as the motor transport system is concerned, the difficulties which the public have to face cannot be better explained than what has been explained by my friend, Mr. James. In addition to those difficulties and troubles which the public have to undergo in regard to motor transport, not to speak of frequent accidents and perhaps daily accidents about which we are every day reading in newspapers, he has omitted to mention the police *zooloom* over the motor bus owners. I am not at all sure that a single person who is running a motor bus is in a position to earn money. What he does is, he buys a motor bus on credit, he buys petrol on credit, he buys oil on credit, he lives entirely on credit . . .

Mr. S. Satyamurti: But he pays the police cash.

Mr. Sami Vencatachalam Chetty: Yet, he pays the police cash!

Mr. M. S. Aney (Berar Representative): And also carry the police free from place to place.

Mr. Sami Vencatachalam Chetty: Sir, complaint has been made frequently about overloading, which is really responsible for the large number of accidents that occur almost every day, and it is the police who should be held responsible for such overloading and accidents. I have been myself travelling in motor buses from place to place in my Presidency, and I know it has been actively encouraged by the police, not only by compelling the motor owners to take the relations of the police officers, but also goods, vegetables, fruits, plantains, and everything else. Now, Sir, there have been many exactions made from the motor bus owners. The registration fee is collected by the police, the licensing fee is collected by the District Boards, and the provincial tax is collected by the Provincial Governments, apart from the petrol tax which they get from the petrol companies on the quantity of petrol sold. In spite of all these, the motor buses are running at two pice per mile. It is certainly an uneconomic rate. If you only take the figures of motor bus runners from year to year, you will find that not one person would have run a motor bus consecutively for a period of three years. The thing goes on shifting from person to person. Each man wants to take some chance in this motor trade, and, therefore, puts into the trade Rs. 300 or Rs. 400 which he is able to get either by begging, stealing or robbing, and takes a bus on credit. The whole thing comes to a ramshackle, and, in about a year or 18 months he himself disappears from the field, and another man comes and takes up his business. This kind of thing is going on. This can only be stopped by the Government licensing the traffic of motor transport on particular routes to associations of individuals who are prepared to conform to the regulations strictly. In the first place, Sir, third party insurance is very essential. There is no meaning in allowing lives of persons to be entrusted to uneducated and untrained motor drivers. As a matter of fact, valuable lives are being lost on account of this. If only an accident, similar to the one that occurred in the Punjab, a few days ago, had occurred on any of the Railway Administrations, certainly there would have been a hue and cry raised against

[Mr. Sanni Venkateshchalam Chetty.]

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[Mr. Sami Vencatachelam Chetty.]

the railway administration, because, we understand, that about 25 people seem to have been killed in that motor bus accident. Is it possible for a civilized Government to allow this state of affairs to continue? Apart from the question whether they affect the railway earnings or not, even from a humane point of view, even from the point of view of protecting the lives of people, it is necessary that suitable action should be taken for regulating the motor transport traffic.

I do not know, Sir, if the mere formation of a Council or Advisory Board for Transport will solve these difficulties. I venture to suggest that, whenever possible, trunk roads should be taken charge of by the Member of the Government of India in charge of Communications. The second class roads must be left to the Local Boards. It is on these second class roads that the Local Governments might be allowed to permit motor transport to be undertaken under their auspices. So far as the trunk roads are concerned, motor buses running on these roads must be either auxiliary or subject to the Government of India regulations. It is only then that, while the motor buses running on taluka roads will bring in traffic to the district boards roads and also the railways, the trunk road motors must be such as to be immediately and directly attached to the contiguous railway administration running in that area. Otherwise, I do not think that it would be possible for us to devise any other means by which, while not affecting the railway revenues, you would not also kill motor transport. In most cases, people are alive to the dangers of motor transport, but still they resort to it on account of the very many inconveniences which the railway administrations are not able to remove

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Sami Vencatachelam Chetty: I will now close, Sir. I do not know what the condition is, so far as motor transport is concerned, in areas where the State Railways run, but, in my part of the country, that is, the Madras Presidency, I should like to say that motor buses are actively encouraged on account of the lack of facilities and conveniences provided by the administrations which run the railway lines there. As an illustration, I should like to give only one instance. Motor transport has so far been popular with passenger traffic, but of late it is slowly getting into the goods traffic also. I may mention the case of a consignment of garlic which was sent from Ongole to Salt Cottours, and that was left in the open yard. It is no doubt a fact that usually we do not get rains in this part of the year in Madras, but there was an unusual downpour on that particular day, with the result that the whole consignment was spoiled. The railways are said to be not responsible for it, though they carelessly put that consignment in the open yard. It is to avoid this loss and this danger that people rather resort to motor transport even in the matter of goods traffic. Unless, therefore, more whole-hearted attention is paid to co-ordinating all this, there is no chance of increasing the railway revenues.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, this is the first occasion, since I took charge of the portfolio of Industries and Labour, on which I have been called upon to intervene in a discussion on the railway budget, and I think that is symptomatic of the change that seems to be coming over the opinions of this House. The

previous discussions we have had on this subject of bus competition,—I remember more especially the one on the amendment of the Indian Railway Act to allow the railways to run bus services,—seemed to show that it was the feeling of the House that the little bus owner should be protected against the big bad railways. I rather gather from the trend of this discussion that the House does not feel quite so sure about that now. Time does not permit of my dealing at length with the points raised by my Honourable friend, Mr. James, and, indeed, some of them can much more appropriately be dealt with by my Honourable colleague, the Railway Member, than by me, but there are just one or two points in his speech on which I should like to comment. I rather gathered that at the outset of it he was complaining, perhaps with some justification, of the very high level of taxation imposed on all forms of motor transport. But the impression he left on my mind was that provincial taxation was being imposed at the behest of the Central Government and in order to protect the railways. I think, if my Honourable friend will study what he said, he will realise that that was not an unnatural impression. I notice he is shaking his head and whilst that may not be what he meant, it certainly was what he said. Obviously, the Central Government have nothing to do with the provincial taxation of motor transport, but in so far as they can influence Local Governments, they try to do so by directing their attention to the desirability of imposing that taxation by uniform methods.

Mr. F. E. James: Will my Honourable friend permit me to make clear what apparently has not been made clear? That particular reference to the Central Government was that the policy of the railways had happened to be increasingly in the direction of raising freight on goods used for road development, which increased the Local Governments' budget in regard to road construction.

The Honourable Sir Frank Noyce: The second point on which I should like to comment before dealing with the main topic on which I have risen to speak, that of regulation of motor transport, is the reference my Honourable friend has made to the desirability of a Ministry of Transport. My Honourable colleague, the Railway Member, will deal with it at greater length, but the point I wish to emphasise is, even if a Ministry of Transport had been in existence now, and since the road development fund was started, it would have had no effect whatever on railway losses from motor competition. I maintain, and if time permitted I should have liked to put the case before the House in some detail, that the road development account has throughout been administered in the best interests of both road and rail development. We have done our best to hold the balance even between roads and railways and I think we have succeeded. There has been very close co-ordination throughout between my own Department and the Railway Department. The Chief Commissioner of Railways is a member of the Standing Committee on Roads, and at our road conferences,—the one we had in 1963 and at the meeting of the Transport Advisory Council last year—my Honourable colleague, the Commerce Member, was present and there has never been any difference of opinion between us. I think, therefore, that that blessed word "co-ordination" can be over-worked. I would repeat that the lack of a Ministry of Communications has not, so far, had any effect on this particular problem. The Government have accepted the principle of a Ministry of Communications. My Honourable colleague will deal with that later. But, whatever may be the case in future, I would once again say that the absence of such a Ministry has made no difference in the past. I think my Honourable friend,

[Sir Frank Noyce.]

Mr. James, is perfectly right in concentrating his attention on the control of motor traffic. We have been accused, in dealing with that question, of being dilatory. I should like to point out to the House, and it is, I think, a very interesting point, that the importance of this question has been magnified tremendously only very recently. If Honourable Members will study the report of the Indian Road Development Committee, which reported in 1928, they will find that that Committee, the report of which is now only seven years old, laid no emphasis whatever on the question of road-rail competition. That really is a very striking fact. What they said about it was to quote with approval an extract from a memorandum submitted to them by the Railway Board which read as follows:

"Generally speaking any scheme by which the development of the road system of India will receive an impetus, will be welcomed by the railway administration. The benefits that may be expected from it probably far outweigh the losses that may be suffered in some areas from the competition that will arise from road motor traffic It is natural that in the replies received by the Committee from railways the latter should have expressed themselves as opposed to the construction of roads parallel to and running alongside the railway lines, but it must be recognised that a road system will have to be connected up and cannot be limited to roads more or less at right angles to railways. It is suggested, however, that there is large scope for many years to come in the development of roads which will feed the railways rather than compete with them and that, even where roads are required parallel to the railways, they will open up the country better if built at some distance from the railways."

That, I think, is convincing evidence that, as recently as eight years ago, a committee which consisted entirely of Members of this House—and it is very strange and significant to find that there was no representative of railway interest on the Committee—should have felt that there was no immediate danger or even no distant danger to be expected from the growth of competition between motors and railways. It was not long before a change came over the scene. It was felt that this growing competition deserved serious attention and, as the House will remember, the Government of India appointed two officers, Mr. Mitchell, who is now our Consulting Engineer for Roads and Mr. Kirkness, now the Secretary of the Railway Board, who went thoroughly into this question and produced a massive report which examined it in all its aspects. That report was received in January, 1933, and we held a Rail-Road Conference in April of the same year. That Conference also very exhaustively examined all questions connected with road and rail and even inland waterways transport, with special reference to the desirability of co-ordination between them and, as a result, Boards of Communication have been set up in the provinces and the Transport Advisory Council met for the first time in January, 1935, and evolved a concise statement of policy which Local Governments have been asked to ratify and implement. Time does not permit me to read even the relevant portions of that statement of policy, as I do not wish to prevent other Members from speaking. It has been laid on the table and if my Honourable friend, Mr. James, would refer to it he will find that it covers very many of the suggestions he has put forward. The very first paragraph of the second part, which deals with the control of traffic, suggests that the following measures should be adopted in regard to motor buses: a reasonable standard of maintenance of vehicles, medical inspection of drivers, insurance against passenger and third party risks and adequate inspection and enforcement of regulations. That brings me to a point which is of very special importance in this connection and that

is that the Punjab, the Central Provinces and Assam representatives dissented on the question of insurance. We have to remember that, in dealing with this subject, we are dealing with a provincial reserved subject. It is all very well to say that the Government of India have powers of supervision, direction and control. Honourable Members know, as well as I do, that with Provincial Autonomy looming so closely in the distance this is hardly the time to use the big stick and our attitude to this question all through has, therefore, been to endeavour to carry Local Governments with us rather than to force them into a certain course of action. As a result of the meeting of the Transport Advisory Council which met in January, we addressed Local Governments in July but some of the replies have still to come in and it was for that reason that the meeting of the Advisory Council which we hoped to hold in January has had to be postponed till July. I must frankly say I am glad that it has been so as it has given this House an opportunity of expressing its views on the subject and the expression of the views of this House will be of great use when we come to discuss the question further with Local Governments in July. But I should like to make it clear to the House that we do not propose to stop with discussion. We have circulated the draft of an amending Bill to them and in spite of the fact that replies from certain Local Governments are still outstanding, we propose to proceed with it and also with the draft of rules framed under it. We propose to discuss the draft Bill and the rules with the Local Governments in July and to introduce an amending Bill in the course of the next Simla Session. I might add that we are, at the same time, reviewing the policy with regard to the road account generally and if we find that any change is necessary we shall have to ask this House to amend the existing Resolution later on. I trust that my Honourable friend, Mr. Jaines, will be convinced that we are devoting careful attention to the aspect of the question which he has raised and that although we have not progressed, perhaps as rapidly as he or we could wish, we have at any rate gone some way. I feel that although there is a good deal more I could say about the administration of the road account generally and also about the interesting suggestion put forward by my Honourable friend, Mr. Venkatachalam Chetty, that there should be a system of federal roads, I had better leave what little time there is to the abler hands of my Honourable colleague, the Railway Member.

Mr. President (The Honourable Sir Abdur Rahim): As regards the time table, this debate is to close at 1-30 p.m. The Chair does not know how long the Honourable Member in charge will take to reply.

The Honourable Sir Muhammad Zafrullah Khan: If the next speaker will confine himself to ten minutes, I shall finish within the remaining 20 minutes.

Mr. G. Morgan (Bengal: European): I shall only take five minutes. I only want to draw attention to the question of co-ordination, that blessed word which the Honourable Member for Industries said has been over-worked. The Honourable Member for Railways made a remark in his speech which has not been referred to in any of the speeches made this morning. The Honourable Member said that apart from road transport, river and sea competition has been intensified in the past few years. Now, Sir, I wish to dispel that idea. It was stated that the decline in railway

[Mr. G. Morgan.]

revenues was due in part to river competition. This statement is misleading. The river companies have nowhere extended their field of operations against the railways. Sir, the reverse in fact is the case. The railways are the aggressors. The river companies have been attacked in areas which they had every right to consider their own spheres and any action that has been taken by way of reducing rates, etc., has been forced upon them by that attack. They have not set out to capture traffic which the railways have created. Sir, the Assam Bengal and Eastern Bengal Railways have been continually extending their systems. The main routes for traffic in the East are the rivers Ganges, Brahmaputra and the Meghna, and the railways have been doing their utmost to attract traffic from the established river routes. In many areas, the river steamship companies and the railway companies have had working arrangements, but, recently, these have been breaking down owing to this intensive system that has come about in the railways of not only creating traffic but diverting traffic and the attack, in my opinion, on the traffic of the River Companies in the Brahmaputra, Ganges and Meghna is quite unjustifiable; and, therefore, Sir, this is one of the things which calls for the co-ordination of all transport.

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): May I ask one question of my friend, Mr. Morgan? Is it not a fact that the Dacca-Aricha Railway project has been dropped because of the opposition of the river interests? (Hear, hear.)

Mr. G. Morgan: Sir, I happen to know a good deal about the Dacca-Aricha Railway, and if my Honourable friend will go into the whole question, it started, I think, about twenty-five years ago . . .

Sir Abdul Halim Ghuznavi (Dacca cum Mymensing: Muhammadan Rural): Fifty years ago.

Mr. G. Morgan: I will take it at twenty-five, he will find that although it might have been one of the cases of diverting traffic from the River Companies, the fact was that the cost of bridging and of a ferry service across the Pudma from Aricha to Goalundo was prohibitive in that it would not be remunerative.

An Honourable Member: Nothing of the sort.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I have no quarrel with my Honourable friend, Mr. James, when he wants a co-ordination of the communications throughout India and, for this purpose, he suggests the desirability of a re-distribution of the portfolios of the Viceroy's Executive Council. But I think that the question of the redistribution of portfolios is a matter of wider and more general nature, and I think it would have been better if this question had been taken up on the occasion of the discussion of the general budget.

I really cannot understand why my friend, Mr. James, should utilize the occasion of the discussion of the Railway Budget for this general question. Moreover, we know that, with the introduction of the new reforms, the whole of the Viceroy's Cabinet will be in the melting pot and the Executive Councillors will be changed into Ministers. . . .

The Honourable Sir Muhammad Zafrullah Khan: Not changed, but will have to give way to.

Sir Muhammad Yakub: Let us hope that the change will come about at a very early date and that it will not take a long time before the new reforms are introduced. So I say that that will be a better time when the question of the change of portfolios should be taken up and discussed. This is not the time for it, and with the formation of the new Railway Board, I think the system of management of Railways in India will undergo certain changes. Therefore, I think my friend, the Honourable Mr. James, should wait until the new reforms are introduced and should withdraw his motion for the present.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Sir, I had no intention of intervening in this debate, but there are one or two points about which I do not seem to be as clear as the mover of this motion. I may tell him at once that if I find myself in general sympathy with him, I will not reserve my vote for the other side; if I find myself in general sympathy with him, I will vote with him. I feel, Sir, that this question of the establishment of a Transport Ministry would give rise to several other questions which cannot be considered in such an incidental manner. (Hear, hear.) What after all is the Honourable mover after? The other day the Leader of the European Group told us that there was too much centralization in the Railway Board and that the Government of India had been interfering too much with the Railways. From that I understood that he wanted a greater amount of liberty for the Agents. If that be so, perhaps the Group which has so able a spokesman as Mr James would want still greater freedom for the contemplated Railway Authority. In that case what is the Transport Minister expected to do. And is it a question of only business adjustment, or does it raise the larger question of constitutional freedom and constitutional authority? Does he mean to suggest that the gentleman in charge of transport should have greater freedom than he possesses today? If that be the suggestion, then it raises a general constitutional problem which cannot be solved in a hole and corner fashion but would require careful consideration. Then, I want to guard against any encroachment on the provincial sphere of roads. Roads are a provincial subject, and for the matter of that a transferred subject in the provinces. I do not want the Central Government to make any inroads on the spheres of administration that have been transferred to the provinces, especially in view of the approach of Provincial Autonomy, as it is called, and surely those who have faith in that much advertised expression, "Provincial Autonomy", would not like to start with a handicap at the outset. Then, there seems to be a conflict between the roads and the railways. A charge has been levelled even today that the railways have been treating roads more or less in a step-motherly fashion. In these circumstances, would it be in the interests of roads that they should be placed at the tender mercies of a gentleman whose interest primarily lies in making railways profitable? I also feel that commerce should be in charge of the same gentleman who is in charge of railways. (Hear, hear.) I consider it much more important that commerce and railways should go together than that railways and roads should form part of a composite portfolio, for the railways must always have before them constantly the one supreme object of the commercial development of the country (Hear, hear): and if the administration of the railways is severed from that of

[Pandit Govind Ballabh Pant.]

commerce, that would to a certain extent stand in the way of the unfettered growth and development of commerce. Moreover, without being in any way unfair to any person, I may also state here that I want both railways and commerce to be in the charge of an Indian Member of the Government (Hear, hear), for, while I do not very much worry about Ordinances and the Criminal Amendment Act, I do place much greater value and faith on the commercial advancement and the economic advancement of the country (Loud Applause); and so far as that goes, I believe that an Indian alone is capable of carrying out a policy which will yield desirable results in desirable directions. Sir, my time is up. (Loud Applause.)

The Honourable Sir Muhammad Zafrullah Khan: Sir, before I take up the general question of co-ordination of rail and road transport, I might make one observation with regard to the matter upon which my Honourable friend, Mr. Morgan, touched in the course of his speech. He said that the statement in my speech that the railways had to some extent suffered from river competition was not quite correct. Well, Sir, it is not my object at this stage to establish that certain factors have necessarily been or not been responsible for the position in which the railways find themselves. But, inasmuch as he has found room for criticism with regard to that part of my speech, I do want to make one or two observations to clear up the position in that respect. He says that the railways have been the aggressors, and in two ways. One, by reducing their rates and secondly, by extending their sphere of operations. So far as the last factor is concerned, I am afraid that is a charge that can be brought against railways even by the roads. The roads can say: "we used to carry all the traffic before railways came and the railways have, by establishing themselves, become the aggressors". Similarly, the rivers have been there ever since the earth took on its present shape, and any form of transport that came subsequently can be said to have been the aggressor. That is neither here nor there. But with regard to his other observation, I am afraid, he was not at all correctly informed. He has paid attention only to what has happened during the last two or three years. We went into it at the conference that we held, I think, last December, between rail, commercial and shipping interests and that charge was levelled against the railways during the course of that conference and the Railway Board was able to show that the rate cutting was started by the shipping companies to begin with (Laughter) and that the railways have only recently tried to win back a portion of the traffic that they lost to the shipping companies as a result of that rate cutting. If Mr. Morgan were to go back a few years in his examination of this question, he will be quite convinced that the traffic, which recently the railways have won back from the shipping companies, is only a portion of the traffic that was originally lost to the shipping companies through rate cutting. I need not pursue this matter further. I am also in charge of shipping and I do not want to say anything that might be unfair either to one form of transport or to the other. I am happy to be able to state that certain general principles were accepted at that conference and it was agreed that shipping interests and railway interests should get together at the various ports for adjusting their differences in accordance with those principles.

Now, Sir, with regard to the general question, I find myself in agreement with a good deal of what Mr. James said in his speech when moving his cut motion, though not with regard to all that he said. I accept the

general principle that the different modes of transport are not necessarily antagonistic to each other. They serve various kinds of needs and they are all necessary for the development of the country and, therefore, unless conditions arise under which competition begins to be wasteful and uneconomic and different forms of transport instead of making the best use of the facilities that are available begin merely to cut each other's throat, there is no room for interference and, I do assure him, that the railways do not want to hamper or impede or exclude this form of transport merely because they cannot make both ends meet. I have tried to explain that in this House as well as in the other House. As a matter of fact so far as the regulation of rail and road transport is concerned, railways do not desire anything more than what my Honourable friend, Mr. James, himself has indicated as a fair basis for regulation and co-ordination. If there is standardisation of types of motor vehicles used for this form of transport, if compulsory insurance with regard to passengers as well as third party risks is enforced, uniformity in driving tests, medical inspection of drivers, fixed hours of work for drivers, punishment for over-crowding, regulation of routes and time-tables is introduced, the railways would have no complaint that motor transport were competing with them on an unfair basis.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): How are these within the province of the railway administration?

The Honourable Sir Muhammad Zafrullah Khan: I do not say it is within the province of the railway authorities. I merely desire that such co-ordination should be brought about. No doubt the Provinces would be to a very large extent concerned in this. I shall have to make reference to that aspect of the matter a little later on.

With regard to one or two other matters which Mr. James referred to as fair competition, I am also in agreement with him. I refer to certain forms of conveniences which road transport is able to offer, and which railways have not yet adjusted themselves to. As a matter of fact, I brought to the notice of the Railway Conference Association, last October, the specific instance that Mr. James has himself mentioned that motor transport is making it easier for people to consign their goods for carriage from their shops, markets or godowns and they are carried right to the shops, markets and godowns of the consignees. It is time that railways considered the question whether they can bring their goods services home to the people who are in need of them in the manner in which motor transport is trying to do. I agree that that is a form of competition that railways cannot complain against and they have got to readjust their methods and the facilities offered by them with regard to these things.

Now, Sir, I have tried to explain what the attitude of the railways is with regard to these matters where competition is entirely uncontrolled and unregulated. It is uneconomic and wasteful as Mr. Chetty has been at pains to explain. As a matter of fact the owners of this form of transport are really not getting any economic return on their outlay and it would be to the interest of everybody, the railways, the owners of motor buses, the commercial community and the travelling public if regulation of motor transport along these lines was introduced. My Honourable colleague, the Member for Industries and Labour, has explained what is being done in his Department in that direction and what are the difficulties in the way. Take for instance the suggestion of Mr. Chetty that certain

[Sir Muhammad Zafrullah Khan.]

roads should be taken over by the Central Government, that is to say, they should become what I might describe as federal roads. That may be a very attractive idea with regard to the co-ordination of these two forms of transport, but I am afraid that it would not find favour with the Provinces and I doubt whether Provinces would be willing to give up their control over particular roads after a number of years of administration of roads as a transferred provincial subject, more especially when provincial autonomy is in sight. There is, as I pointed out in my speech, the difficulty that while railways are a central subject, roads are a provincial subject and any attempt to deprive Provinces of their control over certain roads would, I am sure, be firmly resisted by the Provinces.

Again, as my Honourable colleague in the Industries and Labour Department has explained another difficulty which is that you can only try to bring about an understanding with the Provinces by persuasion and by demonstrating to them that it is in the interests of the Provinces as well as of the Centre that these matters should be co-ordinated. The Centre has no legal power to compel the Provinces to come to any kind of arrangement, nor would it be desirable to start the new system by causing friction at various points. We must endeavour, as far as it may be possible and practicable, to bring about agreement by persuasion. I do not think there would be any tendency on the part of the Provinces, once the matter is fully explained to them and they realise all the implications of it, financial as well as others, to take up an obstructive attitude.

Sir, one of the suggestions contained in the motion itself requires that there should be one Portfolio of Communications at the Centre. I might offer one or two observations upon that subject. The Honourable the Mover of the cut will have observed that there is not entire agreement with regard to this matter among all sections of the House. On the other hand, as he has pointed out, Government stand committed to the proposal, as there have been various declarations on the floor of this House made on behalf of Government, that, in principle, Government accept the suggestion that a Portfolio of Communications should be set up. There has been some delay in setting it up and Mr. James said, "We do not know what is going to happen. Shall we be told that we are waiting for the report of the Wheeler Committee? Shall we next be told that we are waiting for the introduction of Provincial Autonomy? Shall we then be told that we are waiting for the Federal Railway Authority? Shall we finally be told that as Federation is in sight we need not do anything at all about it?" Sir, I do not think that is the position. Mr. James will, however, realise that it is not possible to announce, at this stage, a definite date, on which this new Portfolio would be set up. More difficulties have arisen in considering this question than was originally anticipated. After all, as the House has seen, amalgamations are rather difficult and they take time; and here it is not only an amalgamation that is suggested but also the splitting up of some Portfolios and then amalgamating them into others. I may here make one observation with regard to Mr. Chetty's question, that so far as the Government of India are concerned, there is no intention of increasing the number of Portfolios in the Government of India on this account. That, of course, refers only to the stage before Federation. After Federation nobody can say what the number of Portfolios will be. With regard to the actual date of setting up a Portfolio of Communications, as I have said, there have been some difficulties, and

there are still some difficulties that have to be cleared out of the way. But, I think, if I might express a purely personal estimate of the time, that is likely to be required, that during the course of the next year active steps will have been taken to set up a Portfolio of Communications, subject, of course, to any further considerations that might arise which may not be apparent just now. Certain considerations have, for instance, been today put forward by Pandit Govind Ballabh Pant. I refer to the economic and not to the racial considerations. I do not say that on account of those considerations Government are likely to change their mind, but before any final decision is given effect to, if any further considerations arise which have to be taken into account, regard must be had to them.

Sir, that is all that I have to submit with regard to this cut. But may I say that with regard to this afternoon's business, I have, except in one case, received no indication from Honourable Members as to the cuts that they intend to move? I do not know what arrangement has been arrived at, but it would facilitate matters, so far as I am concerned, if I knew which cuts are intended to be moved this afternoon.

Mr. President (The Honourable Sir Abdur Rahim): They have not given any notice as to which of the motions they want to move. So the Chair will take up the first motion given notice of by the Members who do not belong to any Group.

The Honourable Sir Muhammad Zafrullah Khan: So far as I am concerned, one Honourable Member, Sir Abdul Halim Ghuznavi, has sent me a cut relating to the Dacca-Aricha Railway. No other Honourable Member has given me any indication.

Mr. President (The Honourable Sir Abdur Rahim): Sir Abdul Halim Ghuznavi has got a number of motions in his name. Therefore, he will have a choice in the matter.

Sir Abdul Halim Ghuznavi: Sir, I will move No. 42 relating to the Dacca-Aricha Railway.

Mr. M. S. Aney: Sir, unless and until this present motion is put to the vote, we cannot proceed with any other business.

Mr. President (The Honourable Sir Abdur Rahim): Has the Honourable Member finished his speech?

The Honourable Sir Muhammad Zafrullah Khan: Yes, Sir.

Mr. F. E. James: Sir, before the question of the vote arises, I should like just to make three short observations.

Mr. President (The Honourable Sir Abdur Rahim): There is no right of reply.

Mr. F. E. James: In that case, I should like to explain . . .

Mr. Abdul Matin Chaudhury: Sir, I rise on a point of order. I think Sir Ibrahim Rahimtoola, when he was President of the Assembly, ruled that in cut motions there is a right of reply.

Mr. President (The Honourable Sir Abdur Rahim): That is not the general practice.

Mr. F. E. James: I am unfortunate because I exercised that right myself on two previous occasions; but I bow to your ruling. I merely wish to say that it will be quite improper for us to use the privilege of censuring Government in one Department for their failure to do something in another Department. In any case, we are satisfied with the main points that have been made by the two Honourable Members of Government, and I desire leave of the House to withdraw the motion.

The motion was, by leave of the Assembly, withdrawn.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

STATEMENT OF BUSINESS.

The Honourable Sir Nripendra Sircar (Leader of the House). Sir, with your permission, I desire to make a statement of business. In accordance with what I understand to be the general desire of the House, Monday in next week has been left free so as to afford Honourable Members the fullest possible opportunity for the study of the budget papers. The general discussion of the budget will take place on Tuesday and Wednesday, while Thursday and Saturday are holidays.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): I received information during lunch time that the moon had been seen at various places on the 23rd, and that the holiday for *Id-uz-zuha* will then fall on Wednesday.

The Honourable Sir Nripendra Sircar: If that is so, I shall make another statement later on. I have ascertained that it will suit those Honourable Members who have been prominent in asking for time to discuss so much of the Report of the Hammond Committee as relates to the Federal Legislature if this discussion is fixed for Friday, the 6th March. The four Resolutions standing in the name of the Honourable Sir Frank Noyce on the subject of certain Labour Conventions will also be placed on the paper on that day.

Mr. President (The Honourable Sir Abdur Rahim): As regards the suggestion that was made by the Honourable Sir Muhammad Zafrullah Khan, it will perhaps be better if the Honourable the Leader of the House makes a statement tomorrow.

The Honourable Sir Nripendra Sircar: Yes, Sir.

The Honourable Sir Muhammad Zafrullah Khan: If the *Id* falls on Wednesday, the general discussion will go on on Thursday.

Mr. President (The Honourable Sir Abdur Rahim): The Chair has to inform the House that it will give its ruling on the various points of order raised on Sardar Sant Singh's motion, before the House adjourns today.

THE RAILWAY BUDGET—LIST OF DEMANDS—*concl'd*

DEMAND NO. 1—RAILWAY BOARD—*concl'd*.

Dacca-Aricha Railway.

Sir Abdul Halim Ghuznavi: Mr. President, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Re 1."

Many of the Honourable Members now present were not Members of this House in 1930 when a cut motion on the same subject was moved by me. The history of the Dacca-Aricha Railway is this. For half a century we have been agitating for this railway, and this question had been discussed in the Assembly for five years. In 1929, we thought this railway was a settled fact. The sanction of the Secretary of State was obtained, money was provided for in the budget, and we were expecting operation in the winter of 1929. What happens? On the 4th June, 1929, the Bengal Chamber of Commerce writes a letter to the Railway Board to withhold construction of this railway. That letter was not replied to till 19th February, 1930. Before I proceed with my motion, I will, with your permission, read what Mr. K. C. Neogy said at the time in the Legislative Assembly:

"No Viceroy has visited Dacca, no one Governor has ever visited Dacca, but has not been told, in the addresses of welcome presented to him, as to what importance the people of that locality attach to this particular line; but, for a very long time, the Government were not disposed to pay any heed to this public demand."

Then, Sir, he says:

"There has not been one other topic during recent times in which public opinion in Bengal has been so unanimous as in regard to this question. I do not want this House to be misled into thinking that, in so far as it relates to a small tract in Eastern Bengal, this particular scheme is absolutely of local importance and nothing more. If Honourable Members have studied the Railway Board's reply to the letter of the Bengal Chamber of Commerce, they must have seen that the Railway Board itself mentions that, apart from the fact that this particular railway will serve the local needs of the district of Dacca, it will form a very important link in the chain of communication between Eastern and Western Bengal."

Now, referring to that letter which the Railway Board addressed to the Bengal Chamber of Commerce, Mr. Neogy said:

"I should like to know from the Honourable Member in charge as to whether he would stand this kind of hectoring language from any other public body. Now, Sir, Government received this letter in June, 1929, and they sent out their reply only in February, 1930. When a letter like that came from the Bengal Chamber of Commerce, all the five Members of the Railway Board began to quake in all their five pairs of shoes, and when that process of quaking was over, they sat down to compose a suitable reply to the Bengal Chamber of Commerce."

[Sir Abdul Halim Ghuznavi.]

Then, he says:

"The first portion was drafted, I imagine, by an honest railwayman, and for the purpose of drafting the second portion, I think my Honourable friend requisitioned the services of Mr. Howell, the Foreign Secretary, in order to give it a proper diplomatic touch."

Sir, what was the reply that was given to the Bengal Chamber of Commerce by the Railway Board? The reply was this:

"The Government of Bengal, to whom a copy of your letter was forwarded, have stated that their support of the project is not affected by the representation of the Bengal Chamber of Commerce. In the ordinary course, therefore, the construction of the line would have proceeded."

Then comes the "but"

"But, owing to financial circumstances, it is impossible to allot funds in 1930-31 for the commencement of the actual work of construction."

They could find many crores of rupees—for building stations. . . .

Mr. P. R. Rau (Financial Commissioner, Railways): Not in 1930-31.

Sir Abdul Halim Ghuznavi: When was it then?

Mr. P. R. Rau: Much earlier than that.

Sir Abdul Halim Ghuznavi: It was in 1929 that you had budgeted for this money, but you stopped it later on as soon as you got this letter. What is the position? The Bengal Government insisted that this railway should be constructed. The Government of India was not willing, but the Bengal Government said that the line must be constructed, that they considered it was an important line and when they were asked whether they could guarantee the money for the survey, if it was found that the scheme was not good after survey, they said, yes, we would find the money for the survey. Now, it is no use saying that it is not a paying line. The result of the survey was that it was a very paying line. I shall show that from the statement of the Honourable the Commerce Member himself. Immediately this letter was received, they suspended all the work that had been started, and, since then, nothing has been done, and the difficulty is this: the Honourable the Member for Commerce is also the Honourable Member for the Railways. He has to satisfy the Siamese twins: here is the Commerce who wants him not to proceed with the railway and here is the Railway who wants him to proceed with it. What is he to do? He yielded to one of the twins who wanted him not to proceed with it.

With your permission, Sir, I will just say that Sir George Rainy then said that it was a settled fact and we would get the railway. He said:

"Now, as regards the question of the Dacca-Ariena Railway, I should like to make certain things clear. In the first place, the Railway Board and the Government of India are quite satisfied that this railway is needed, and that it is a matter of urgency and that it should be constructed as soon as possible. There is no question at all about that. It is explained very clearly in our reply to the Bengal Chamber of Commerce. It is not only, as my honourable friend, Mr. Neogy, put it, as a means of local communication that it is important, but much more as an essential link in a trunk system of through communication. I believe that, in the future, it will be quite an important line. That is why we propose to construct the line on the broad gauge."

Mr. Neogy referring to the letter of the Bengal Chamber of Commerce said:

"I have nothing to complain with regard to the first portion of it (*the reply to the Bengal Chamber*), which very satisfactorily meets every point made by the Bengal Chamber of Commerce. But it seems to me that two hands were employed for the purpose of drafting this letter Now, Sir, in the concluding paragraph of the Bengal Chamber's letter they have condensed many inaccuracies—I was going to say downright falsehoods. It is difficult to imagine that it could be possible even for the Bengal Chamber of Commerce to condense so much of mis-statement in so short a compass. I say first of all say that this is not a matter of urgency. That is a statement which I deny. It is an absolute and deliberate lie. I understand there is an Honourable gentleman here who represents the interests of the Bengal Chamber of Commerce. I may tell him that I am prepared to repeat all that I am saying now outside this House so as to give him an opportunity of taking any action he likes against me. Then the second lie is this: 'the traffic is already adequately provided for by the inland steamer companies.' The third lie is that it 'is little needed', and the fourth lie is that "Opportunity was not given to the public to express their views on the scheme'. The scheme has been before the public of Bengal for the last half a century and before this House at least for the last five years."

Sir, we have seen that the Railway Board have examined the scheme and the Honourable Member stated on the floor of this House that it was an urgent scheme and an important railway. Then comes that letter. After that there is a lapse of five years. Now, what happens? It now happens that the Bengal Government which, at the beginning, was very much in favour of this railway is not now prepared to back it up. What are the reasons? Reasons of health, reasons of sanitation. I will ask the Bengal Government what has since happened? How has the country changed that they now find that reasons of health and sanitation are affecting them now? I will read what they said at the beginning. This is what Sir George Rainy said:

"It seems to me that, in the nature of the case, you cannot say 'I don't care what figures are revealed in the detailed estimates, I shall refuse to reconsider the matter.' That is an attitude which no responsible authority can adopt. The other matter is the question of the effect that the construction of the line might have upon river conservancy and the public health. Now, as my honourable friend Colonel Crawford in an interjection at an earlier stage of the debate asked, 'Why not have a road', I would like to point out that the effect of a road, both on river conservancy and on public health would be exactly the same as the effect of a railway, for unless it was an embanked road, it would be under water for about four months in the year, and if it is an embanked road, then you have to face the complicated questions of the adequacy of the water-ways, the obstruction to drainage and so on."

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Sir Abdul Halim Ghuznavi: I thought I had half an hour, Sir: but I shall finish in two minutes. The Railway Board's Administration Report says:

"Dacca Aricha Railway: Rajbari-Naraingunge: construction of a broad-gauge line, about 64 miles in length from Rajbari to Naraingunge, including a wagon ferry across the Padma river between Goalundo and Aricha, was sanctioned in January, 1929. The line will provide railway communication to the large tract of country in the Dacca district situated between Aricha on the left bank of the Padma river and Dacca. The present means of transport in the area traversed by the Railway is mainly by water: The time taken for the railway and river journey between Calcutta and Dacca is about 19 hours."

Sir, to travel 264 miles, it takes 19 hours now, because we have not got a railway.

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In conclusion, what I want to impress upon this House is this: The Government of India decided in 1929 that this was an urgent scheme and that the Railway was surely needed. Nothing, therefore, should stop them now from proceeding with that project, because money is also so cheap that the Government of India can easily get a crore and 84 lakhs that is needed for the construction of this line. If this Railway line is constructed, all goods from Peshawar right up to East Bengal can be easily carried; in addition you can carry the whole of the jute trade as well. My Honourable friend, Mr. Morgan, said this morning, that the railways were obstructing the inland steamer service, but I entirely differ from him, because, when jute is carried from East Bengal to Calcutta the steamer freight up to Goalundo is high, because from Goalundo they can carry jute by rail, but the freight to Calcutta is very low, and, therefore, it is river service which is obstructing the railways from carrying jute from Goalundo to Calcutta and also from Serajganj to Calcutta. Up to Serajganj the steamer freight is very high, and from there if you carry jute straight to Calcutta, the steamer freight is very low. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Cut motion moved:

‘That the demand under the head ‘Railway Board’ be reduced by Re. 1”

Mr. Muhammad Anwar-ul-Azim (Chittagong Division. Muhammadan Rural): Sir, at the outset, I must thank you for the opportunity you have given me to speak on this subject. As an Eastern Bengal representative in this Assembly for a considerable time, I take it to be a privilege to support the contentions of my Honourable friend, Sir Abdul Halim Ghuznavi, with regard to the construction of this railway. Sir, it will not be proper to shelve the question of the construction of this railway at this late stage, for there has been an insistent demand from people living on the eastern side of the Brahmaputra and Pudma for this railway. As a matter of fact, without exaggerating matters, I am certain, if there had been some other quicker forms of transit, the whole political geography of Bengal would have been changed, and the people of Dacca Division and the people living up the borders of Burma, generally, would have been far more happy and contented. I do not hold any brief for the Government of India, least of all it is very difficult for a sober and unostentatious man like myself to hold a brief for Government, but I must say this much in support of getting the construction of this railway expedited. Their constructing the Meghna Bridge will not facilitate matters, even for taking their troops from Fort William if there was trouble either on the Arakkan border or on the borders of the Chittagong hill tracts. That is a factor of which the Government of India should take a very serious note. It will not be enough for the Government of India if they concentrate their military forces in the Chittagong hill tracts. I know that tract well, and I also know the position south of the eastern part of Bengal, and I feel that the Government of India is following an ostrich-like policy if I may say so, if they do not keep their eyes open.

Then, Sir, coming to the other advantages of this railway line, those who hail from this unfortunate part of the Presidency will have experienced the cost that is incurred for taking goods from our side to Calcutta. Calcutta port, as is well known, is getting silted up every day, and I

gather that the cost of constructing a properly navigable river, so far as the Chittagong Port is concerned, is becoming very prohibitive. That being the case, I am certain that the Railway Board and the Government of India will seriously consider if the time has not come to take up this project in hand in right earnest. From a perusal of the concluding part of Sir Allan Parson's speech on the 23rd of February, 1930, it will be seen that he had agreed with the view that if this railway project was carried out, it would not be a losing proposition, for, Sir, he very definitely stated that they thought that the return would be definitely higher. I, therefore, feel, Sir, that a very strong case has been made out by my friend, Sir Abdul Halim Ghuznavi, in support of his contention.

There is another factor which the Assembly should not lose sight of. About six or seven years ago, Sir, Mr. K. C. Neogy, an eminent Member of this House, had brought in a measure for regulating the freight charges of the steamer companies plying between ports in South Eastern Bengal, and the measure was considered necessary, because of the unconscionable way in which the steamer companies were manipulating their tariffs. My submission to Government is this that if really this project is carried out, and if at some future date a bridge is constructed over some parts of Manickganj sub-division, and if that is connected by ferry service, that will link up practically almost the whole of south eastern part of the Presidency. It will not be right for the Government of India to urge the argument of financial stringency in this matter, because if they can find the money for carrying out repairs to the Hardinge Bridge and other projects involving crores of rupees, they should certainly be able to find just a couple of crores needed for the construction of this railway. I am sure my Honourable colleagues will appreciate the difficulty which the people of Eastern Bengal experience. Recently, Sir, I suppose a sort of survey has been carried out by the Government of Bengal in order to see if any bridges or railway lines could be constructed over some of the big navigable rivers, and whether those constructions will impair the health of the people. But I can assure the Government of India, knowing as I do my part of the country very intimately, a bridge or a railway line over the place mentioned by my friend, Sir Abdul Halim Ghuznavi, will improve matters very considerably. If, Sir, I am correctly quoting the speech of the Minister for Local Self-Government in my province, I think he and his Department are rather eager, nay anxious to see the people in my part of Bengal getting a proper share of transit facilities.

The Honourable Sir Muhammad Zafrullah Khan: Is he in favour of the construction of this railway?

Mr. Muhammad Anwar-ul-Azim: Yes, very much. So, taking all aspects of the matter into consideration, I commend the proposal for the acceptance of the House.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support the motion.

3 P. M. Apart from the intrinsic merits of this motion, there is one other reason why I feel special pleasure in supporting it, and that is, that it has been moved by my Honourable friend, Sir Abdul Halim Ghuznavi. It is very rarely that I see eye to eye with him, generally our views are as poles asunder. But, here, in the matter of the Dacca-Aricha Railway, there is absolutely no difference between him and not only myself

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but the people of Eastern Bengal and Bengal. But what is the good of speaking on this matter? We speak for what purpose? To make out a case for the Government. But, here I find there is already a final verdict of the Government on this question. In reply to the letter of the Chamber of Commerce to which reference has been made by the Honourable the Mover of the motion, the Government of Bengal said: "We do not agree with you (the Chamber of Commerce). We have investigated the whole thing. We will continue the construction of the railway." Later on, in the another part of the same letter the Government of India said this:

"We find that the railway will be useful. We find that all the arguments that you adduce in favour of the abandonment of the scheme are of no use. We also find that the Bengal Government is with us."

After all this, I think it is useless to talk on the merits of this motion. My Honourable friend, Sir Abdul Halim Ghuznavi, has, in accounting for the change in the mentality of the Government on this question, brought a very serious charge against the Government, and that charge is that they have changed their attitude because something supervened, because a certain gentleman came and intervened for the benefit of the steamer companies that ply between Goalundo and Narayanganj and Goalundo and Chandpur. The position is simply this. Here is the interest of the jute industry on one side. The construction of this railway line will benefit the jute growers of Eastern Bengal, they can carry their goods much more cheaply to Calcutta. Therefore, there is the interest of the jute growers on the one side, and, then, on the other side, there is the interest of the British shipping industry. When there was that conflict of interest between these two industries, and when the cause of the steamer service was urged by a certain gentleman whom my Honourable friend, Sir Abdul Halim Ghuznavi, has mentioned in his speech, the Government chagned their attitude. I cannot conceive of a more serious charge of breach of trust of the interests of the people brought against any Government by anybody, and we have got to remember that that is a charge which is brought forward against Government, not by people on this side of the House, but by Sir Abdul Halim Ghuznavi. No further argument is necessary in order to support this motion. Here is an instance in which the administration of this country is carried on, not for the benefit of the people of this country, but for that of outsiders. Before we spoke on this motion, I thought the Government's present attitude might have been indicated so as to enable us to deal with the matter more effectively.

The Honourable Sir Muhammad Zafrullah Khan: The answer is in the negative. (Laughter.)

Mr. Akhil Chandra Datta: I am thankful to my Honourable friend. It has become customary in this House on many matters, for some gentlemen on the Treasury Benches, more tactful, and less blunt than others, to give answers like this: "Oh, I have got full sympathy. I do not oppose. I admit the justice, I admit the principle of the matter. We are trying to do it. The matter is under our consideration." All that is certainly very good, but the whole question is, not what the answer is, but whether the answer is going to be translated into action. The Honourable Member shakes his head.

The Honourable Sir Muhammad Zafrullah Khan: Not in this case. I have given you a quite definite answer, if that is any indication.

Mr. Akhil Chandra Datta: We are none the less anxious to know if the Government are going to give effect to its own verdict expressed in such unmistakable manner so many years ago, and in that hope I do not feel justified in taking up the time of the House a minute longer. Sir, I support this motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadian Urban): I rise to say a few words in support of this motion. The public of Eastern Bengal have for the last fifty years demanded the construction of the Dacca-Aricha Railway, and the Government of Bengal was, until recently, in favour of such construction. The Government of India also favoured the scheme, and the project was actually taken in hand and lands were purchased. Then, what happened? What led the Government of India and the Government of Bengal to change their minds? It has been suggested by my Honourable friend, Sir Abdul Halim Ghuznavi, that the interests of the Steam Navigation Company weighed with the authorities more than the interests of the people of the province, and that was the reason for the change in the mind of the Government of India as well as of the Government of Bengal. But this is not a charge which a single individual has brought against the Government; this is a charge which the people of Eastern Bengal as a whole bring against the Government. I have had occasions to pay visits to Dacca once or twice a year, and I know the feelings of the people of that district. Only a few weeks ago, I had an occasion to pay a visit to Dacca and the steamer, although timed to reach Naravanganj at 12 o'clock, reached that place two or three hours later. During the winter and summer months, the steamers are always late, and this causes great inconvenience to the public of Dacca and Mymensingh. As regards the support that the project received in the earlier stages from the Government of Bengal and the Government of India, a great deal has been said. The objection which was first raised was on the ground of paucity of funds, but there was no objection raised on the ground of the success of the scheme. Mr. Parsons said in 1930:

"The Railway Board's view is quite definitely this, that of the lines at present in prospect on the East of India, the Dacca-Aricha Railway is the most important. They have no special reason to believe that the existing estimate of the scheme, which is about 186 lakhs, will be largely exceeded in the detailed estimates, though they are prepared for the possibility of a variation from the original abstract estimates, because of the large amount of bridge work in the scheme. On the other hand I have never hidden from my friends on the other side my personal belief that the traffic estimates of the scheme are perhaps even more cautious than our usual traffic estimates and it is because we wish to be certain as to the exact prospects of the scheme and because we do not necessarily wish to drop the scheme, merely if the detailed estimates show some increase in the cost, that we have decided to re-survey the traffic prospects of the line at the same time as the detailed estimates of cost are prepared."

Thus, there was no doubt in the mind of the expert authorities as to the soundness of the scheme. But subsequently the Bengal Government turned round and put its finger on another aspect of the question. The Bengal Government said that it would interfere with the sanitation of the province. Last year, I asked a question with regard to the construction of this line and was told in reply that the Government now thought that the construction of this line would interfere with the health of the area and on that account it had abandoned the scheme. Now, how will the

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construction of this line interfere with the sanitation of those tracts? By water logging? That is evidently in the minds of the authorities; but could not water-logging be overcome by the construction of large culverts and bridges. If a broad gauge line is constructed this difficulty may easily be overcome, and it is not beyond the competence of engineering science to construct a line in that area in such a way that water-logging may be prevented. I must frankly confess that the reasons on account of which it is now proposed to abandon this project do not appear to me to be grounded on facts. On the question of merits and on the question of finance, the scheme is on a sound footing, and the difficulty of interfering with sanitation may be overcome. I hope and trust, therefore, that the Government of India will change their mind once more and come back to their original frame of mind and agree to take up the construction of this line.

The Honourable Sir Muhammad Zafrullah Khan: Sir, Honourable Members, who have spoken in support of this motion, have said that at one time the Government of India were convinced that the line would be a remunerative one, and, inasmuch as the Bengal Government supported the proposal, it has even been said that they were eager that this line should be constructed—the Government of India had practically decided that it should be constructed. That, I am afraid, is rather old history, so far as this project is concerned. About three years ago, the matter appears to have been reconsidered by the Bengal Government and the Bengal Government then definitely came to the conclusion that the construction of this line was undesirable in the interests of the people of that part of the country inasmuch as it would interfere with sanitation, it would lead to great increase in malaria, it would interfere with agriculture, and that, therefore, altogether it was extremely undesirable that this proposal should be given effect to.

Mr. B. Das (Orissa Division: Non-Muhammadan): It was an afterthought of the Bengal Government.

The Honourable Sir Muhammad Zafrullah Khan: I am coming to that question as to what the position of the Government of India should be in these matters, and, I am sure, that the House will be able to judge to what extent the Government of India are to be blamed in the matter. The Bengal Government addressed the Government of India in this connection and said that the conclusion at which they had arrived was that the danger to public health, agricultural prosperity and river regime far outweighed the benefit to communications which would accrue from the construction of the railway and I shall give from their letter a few details with regard to these matters. They state in that letter, that the construction of an embankment, which would be necessary for the purposes of this railway, would have a detrimental effect on the conservancy of the Dhaleswari river and they think that the premise on which the Committee of 1920 based their favourable decision no longer holds good. Their Chief Engineer of Irrigation, Mr. Addams Williams, strongly opposed the construction of any embankment across the spill of the Dhaleswari, and he was firmly of the opinion that the railway would be found, not so many years hence, to have caused a serious deterioration in public health and agriculture. He also stressed the danger of upsetting the natural regime of a deltaic river by training works designed to hold it in its existing course. In his view, it was impossible to foresee the effect of such training works—the railway project includes training works at Singair, Boyra and above

the Dhaleshwari bridge—on the course of the river in its lower reaches and he pointed out that a small change might endanger the town of Narainjanj.

Then, they appointed a committee in 1929, which included the Medical Officer of the Eastern Bengal Railway and the Engineer-in-Chief, Construction, of that Railway, which confirmed the views of Dr. Bentley and Mr. Addams Williams and they were unanimously of opinion that the construction of either a railway or an embanked road was undesirable, because any such embankment must interfere to some extent with the spill flow across the country. The weight of opinion, therefore, of those most competent to form a decision on the matter is opposed to the construction of the railway. The danger to public health and agriculture arising from interference by embankments of any kind with the flow of silt-laden spill water over the country side and the danger of interfering with the natural development of a river in an active area of the delta by embankments or training works designed to hold it in its course are now more fully realised than they were in 1920 and the Local Government, although they fully recognise that this involves a reversal of the view they formerly held, are convinced that an embankment across the spill of the Dhaleshwari would be a serious menace to the public health and agricultural prosperity of a large area and that the danger to public health and agriculture far outweighed the benefit to communications which would accrue from the construction of the railway. The conclusion which they have reached after the most careful consideration is, that the construction of the railway is altogether undesirable and should not be proceeded with. This letter is dated the 13th September, 1933.

That being the position placed before the Government of India, what is the attitude which Honourable Members think the Government of India should have adopted? The Government of India are not responsible for the public health or agricultural prosperity of the province. Those are provincial matters for which the responsibility rests upon the Local Governments and, therefore, it is the Local Government's view that must be accepted in these matters. Apart from the question of the Dacca-Aricha Railway, look at it as a general question of policy. Should the attitude of the Government of India be, even supposing that they found a particular project was financially remunerative, that, inasmuch as they think that this would be a valuable addition to the communications of a certain portion of the country, and because they are of the opinion that it would bring them an adequate return upon their outlay, they do not care whether the project is likely to injure the agricultural prosperity or the health of that part of the country and insist upon proceeding with it. I am quite sure that if in any case that attitude was adopted by the Government of India, this Honourable House would condemn that attitude and would be quite right in condemning it. The government of this country is based, and is going to be adjusted more and more, upon the federal model where certain matters are to be left to the Provincial Governments and certain other matters are to be reserved for the Federal Government. The Central Government cannot insist that its view must be given effect to whatever the consequences to the people of the country with regard to those matters for which the Local Governments are responsible. If this had been a matter over which there had been a difference of opinion between the two Governments in the sense that the data in the possession of the Government of India had pointed in one direction and the data in the possession of the Local Government had pointed in another direction, then possibly

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the matter might have been resolved by discussion between the two Governments and some sort of a compromise might have been arrived at, but here the Local Government alone is in a position to form an opinion. Apart altogether from that, the entire responsibility for these matters rests on the Local Government and I am quite confident that the House would look at it in this way, that that being the attitude of the Local Government, that being their view on these matters, it was absolutely out of the question that the Government of India should force the Local Government to agree to this line being constructed.

Now, Sir, Dr. Banerjea has pointed out that after all if there are dangers of this kind, it only means that you have got to adopt certain precautions in order to get over these dangers. That may possibly be so. I have not in my possession any kind of information which might show that these are insuperable difficulties. Therefore, I am willing to assume the position that it might be that you could get over those difficulties but you can only do so by a very much larger expenditure of money than was originally contemplated and which, even if the project had been on the original estimates a remunerative project, would immediately convert the project into a dead loss. The only manner in which the desire of the people of that part of the country to have this railway connection, and the opinion of the Local Government that the construction of the line would be a danger to the health and prosperity of the locality, could be reconciled is to decide that in spite of the fact that it would cease to be a remunerative project, we must undertake it at a much larger expenditure of money. If this attitude is adopted the Railway Board would again be prepared to look favourably upon the matter if the Local Government, in the first instance, on a further examination, are prepared to adopt the view that by adopting certain precautions their objections would be fully met, and, secondly, are prepared to say that if this particular line is built and any loss is sustained by the railway as a result of the very much enhanced cost of construction, that loss would be met by the Local Government. With regard to this matter it is not the Railway Board or the Government of India who could be blamed at all. I have not discovered throughout the course of this debate any matter with regard to which any blame could attach to the Government of India. What has got to be done is to press upon the Local Government two considerations. First, if Honourable Members are disposed to think that the view that the Local Government have adopted in this letter and communicated to the Government of India is not founded upon correct data, they must place correct data before the Local Government and then they persuade them to adopt the view that no injurious results would follow upon the construction of this line; and, secondly, to persuade them to offer a guarantee to the Railway Board for the construction of this line where a Local Government is anxious to provide a link in the chain of provincial communications by the construction of a railway line, that is one way of doing it. It has been done to a certain extent in the Punjab, where the Local Government were able to persuade the Government of India to undertake several projects on the basis of a guarantee, and in many of those cases that guarantee has not come into operation because the traffic proved to be remunerative. If this project does not appear to be remunerative, it is only fair that the Railway Board should say: "It is not remunerative on the basis of these particular estimates; if you force us to undertake extra expenditure in order to meet the objections of the Local Government,

then the Local Government must be prepared to guarantee that there would not be any loss on the working of this particular line." If the Local Government are of the view that such a project would definitely prove dangerous to the health and prosperity of that part of the country, the Government of India have not only no means of forcing the Local Government to withdraw their objection but would be entirely unjustified if, merely on the basis of their own estimate of the cost and the estimate of the earnings of this line, they took up the attitude that the Local Government must withdraw their objection. I might add that, as the original survey was undertaken and estimates were framed some time ago we are not quite sure whether the project would still be a remunerative one (Laughter) and that may, I am afraid, prove an additional difficulty in the way. Therefore, I very much regret that with regard to this matter I cannot hold out any hope that, in the near future, this project might become a practical possibility.

Mr. Akhil Chandra Datta: What were the Government of India doing between 1929 and the 13th September, 1933,—before the receipt of that second letter from the Government of Bengal?

(No reply.)

Mr. President (The Honourable Sir Abdur Rahim): The question is—

"That the demand under the head 'Railway Board' be reduced by Re. 1."

The motion was negatived.

Paucity of Muslims in Railway Services.

Khan Bahadur Shaikh Fazl-i-Haq Piracha (North West Punjab: Muhammudan): Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, in moving this cut motion, I have only to repeat the voice of the Muslim community and to point out that their share in the railway services is very small and that their grade to grade promotions are very meagre. This subject has invariably been discussed almost every year on the floor of this House for a long time past. The thanks are due to the Government for having given a bit of their consideration and for having fixed a definite percentage for the recruitment of Muslims on railways. Although orders fixing 25 per cent. quota for Muslims, on an all-India basis, were issued in 1934, and were supplemented, from time to time, by the issue of further instructions, yet it is strange to notice that the net result of these orders has been that the percentage of Muslims in railway services has actually gone down, instead of going up. There appears to be some inherent defect in the system and it seems that the orders issued by the Railway Board find a place in the waste paper basket in the Agents' offices, and nothing further has been done. To elucidate my allegation, I will narrate a few instances of deliberate breach of these orders by the officials concerned.

[At this stage, Mr. President (the Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

I understand that the railway administrations were instructed through the Railway Board that all vacancies should be advertised and should be given according to the proportion fixed for the different communities, but

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the authorities of the North Western Railway are doing otherwise. From June 1935 to October 1935, about sixteen appointments—two stenographers, eight typists, one litigation Inspector and three clerks—were made without any advertisement in the papers, and without observing the percentage fixed for Muslims. General Orders were issued by the Railway Board that in the matter of promotions from inferior to subordinate grades the percentage fixed for Muslims and other minority communities must be strictly applied, when considering such promotions. But the authorities of the North Western Railway in making promotions from cleaners to firemen, that is from inferior to subordinate posts, issued instructions to all the Divisions that that should not be done. Repeated instructions have been issued by the Railway Board for the appointment of Muslims as head clerks Personal, Office Superintendents, Assistant Personal Officers and Divisional Personal Officers, as and when vacancies occur. But the North Western Railway authorities not only have not made a single such appointment, but, on the other hand, have reduced the number of Muslims in these grades in spite of the fact that there were vacancies of head clerks Personal and Office Superintendents at Quetta, which were filled in by promotion by non-Muslims. From the above instances which I believe to be correct, I speak subject to correction, it will be seen that on a railway which has a preponderating majority of Muslims to be recruited to its ranks, the orders of the Government are flouted and it can be imagined very easily what would be the state of affairs on other railways which have less percentage of Muslims to recruit.

Next I come to the Railway Clearing Accounts Office, which is one of the biggest offices of Railway Accounts administration, the name of which and the state of affairs of which have been repeatedly mentioned in this Honourable House in connection with the paucity of Muslims, for the past so many years. It is sad to note that the result of all the discussions and of all the repeated demands has been to make the position of Muslims of the office from bad to worse and non-Muslim monopoly in all the key posts is on the increase. In order to prove this allegation of mine, I will state and compare the position of various posts held in 1929 as compared with the present year.

| | 1929. | | 1936. | |
|--|---------|-------------|---------|-------------|
| | Muslim. | Non-Muslim. | Muslim. | Non-Muslim. |
| Director | .. | 1 | .. | 1 |
| Deputy Director | .. | 1 | .. | 1 |
| Assistant Director | .. | 1 | .. | 1 |
| Assistant Accounts Officer | .. | 3 | .. | 3 |
| Superintendent | .. | 7 | .. | 7 |
| Assistant Superintendents | 1 | 11 | .. | 12 |
| Inspector of States Accounts | .. | 7 | .. | 7 |

Now, I would come to the Office of Divisional Superintendent, North Western Railway, Delhi, where the communal proportion on 1st January, 1929, as compared with that on 1st January, 1936, stands as follows:

| | 1929. | | 1936. | |
|-------------------------------|---------|-------------|---------|-------------|
| | Muslim. | Non-Muslim. | Muslim. | Non-Muslim. |
| D. S. | .. | 1 | .. | 1 |
| D. P. O. | 1 | .. | .. | 1 |
| A. P. O. | 1 | 1 | .. | 1 |
| D. T. O. | .. | 1 | .. | 1 |
| A. T. O. | .. | 3 | .. | 3 |
| D. E. N. | .. | 2 | .. | 3 |
| S. D. O. | .. | 7 | .. | 7 |
| D. A. O. | .. | 1 | .. | 1 |
| D. M. O. | .. | .. | .. | 1 |
| Office Superintendent | .. | 1 | .. | 1 |
| Clerks | 30 | 40 | 11 | 35 |

i. e., the position of Muslims in all the posts has become much worse. In other Divisions also the proportion of Muslims has come down and at present there is only one Muslim D. P. O., one Muslim Head Clerk P. and one Muslim Office Superintendent in all the seven divisions of the North Western Railway. I am all the more astonished to see that under the very nose of the Railway Board, that is, in the office of the Assistant Operating Officer not a single Muslim soul is allowed to breathe.

Having stated the state of affairs in some of the offices regarding the position of Muslims, I would now quote a few instances to show what treatment the Muslims are meted out when the question of departmental promotion comes for consideration. I am sorry to say that the Muslims are not given fair treatment and promotions are made according to circumstances suited to benefit the non-Muslim employees and to neglect the rights of the poor Muslims. Sometimes, seniority is considered to be the criterion for promotion, while at other times, personal merits, and sometimes, the system of selection is adopted by the officer concerned. Although I realise that I shall be questioned by the railway authorities present in the House to state from where I got the information and although I feel that certain Muslim employees will incur the displeasure of their officers merely on the basis of suspicion, yet I cannot help quoting a few instances of glaring injustice done to the Muslims in the matter of promotion from which I intend to show to the authorities

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concerned that they should take necessary steps in that direction. In the Railway Clearing Accounts Office, Delhi, a clerk Bhagat Ram, who was junior to at least two qualified Muslims in the grade of clerks, class I, was confirmed ignoring the rights of the Muslims who were senior to him by many places.

The Honourable Sir Muhammad Zafrullah Khan: Surely the Honourable Member does not expect that I shall be able to go into individual cases of the kind that he is about to quote? It would serve no useful purpose to quote them in his speech.

Khan Bahadur Shaikh Fazi-i-Haq Piracha: I want to bring to your notice that such injustices are done, and that instructions should be issued for the future.

Mr. S. Satyamurli: Sir James Grigg is not here! He would jump up now, at this "canvassing of political influence for individual cases"!

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Probably the reason advanced in this case was that the gentleman had passed Appendix D examination, whereas following clear orders of the Controller of Railway Accounts conveyed under his letter No. 59 C. R. A. E. 34 on the memorial of certain clerks in class II of the Railway Clearing Accounts Office for promotion to clerk class I are "In consideration of the relative claims of clerks for promotion to class I it is not the intention that the mere fact of a clerk having passed Appendix D or other equivalent examination should give him a preferential claim for promotion over men who have not passed such examination but otherwise eligible for promotion, (*i.e.*, have passed Appendix C)". Quite contrary to these orders Messrs. Biswa Nath and Bhagat Ram have been confirmed as clerks, Class I, superseding many qualified hands including Muslims. Then another clerk in the same office

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member need not give too many instances. He may give one or two instances just to illustrate his point.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Very well, Sir. Such has been the case in various other offices where Muslims have been ignored and given no promotion.

There were five vacancies of clerks, class I, in the office of the Bridge-Engineer, Jhelum. The Executive Engineer proposed to fill up these vacancies by promotion, two of which were given to Muslims, but - the headquarters, not agreeing to the proposal, ordered the Executive Engineer to take men from the Labour Exchange Office who supplied two non-Muslims having only a few months' service, to replace two Muslims who have had eight years spotless service to their credit. It will be curious to note here that the three non-Muslims appointed by the Executive Engineer were allowed to officiate till further supply, and the poor Muslims were shunted out probably on account of their faith in Islam. Although it is said that the Railway Board never interferes in the internal affairs of the various railways, in the matter of promotion and recruitment,

occasionally, however, it seems that this rule is disregarded. On the Eastern Bengal Railway four men were selected for appointment as Commercial Inspectors, two of whom were Muslims, but it was pointed out to the Agent by the Railway Board that direct recruitment for these posts were not the policy of the Railway Board, as a result of which all the four posts were filled up by non-Muslims and thus two Muslims were very cleverly eliminated. In citing some of these cases I mean only to show to Government, how their Resolution of fixing the quota for the Muslim community as regards the railway services is acted upon; and it is a point to be seriously considered as to how many years it will take for the Muslims to have their full share in the railway services. Owing to the methods adopted and the tactics played in keeping out Muslims from the services and from getting promotions, I think centuries will be required to bring them to the level required. Unless and until Government take a keen interest in the matter and stop the recruitment of any other community, until the Muslims attain their full quota, this question will always remain a disturbing factor, and the Resolution of Government will remain ineffective and a dead letter. I would earnestly request and suggest to Government to review their Resolution and find means and ways to redress this long-standing grievance of the Muslim community. The Muslims think that their recruitment to the posts of *chuprassies* and clerks at a pay of Rs. 15 or Rs. 35 is absolutely useless, unless and until grade to grade promotions are given to Muslims already employed in the Railway Department on the basis of the share fixed by Government for them. Muslims at present are in a negligible percentage in the service in superior grades and, as they have been held back from entering the services up till now, it is absolutely impossible for any Muslim to rise to a superior post throughout his life, there having been hundreds and thousands of non-Muslims much senior to them who entered service much earlier.

In one of the speeches on the floor of this House Mr. Hayman, member of the Railway Board, had stated, that no Muslims have been superseded so far as promotion to the administrative gazetted ranks were concerned. In another speech he said that arrangements were being made for affording special facilities to the Muslims to get necessary training which would fit them for senior subordinate posts for the railways. Many years have since passed away and yet no Muslim officers have been promoted to administrative rank nor has the proportion of Muslims in gazetted and subordinate ranks improved. Now that the railways are to be handed over to a statutory authority, not responsible to the Assembly, i.e., the Muslims, have reason to fear that the Muslim community will become more slender than ever, as far as the railway services are concerned. I deem it, therefore, essential, that Government should see that the interests of Muslims in railway services are adequately preserved before the railways are handed over to the Statutory Board. It will be seen that the number of Muslim officers in the subordinate branches dealing with Establishment is hopelessly inadequate. Sometimes back, hopes were given on the floor of this House to give consideration to the appointment of two Muslim Deputy Agents. Not to say of the appointment of Agent or Deputy Agent not a single Muslim has even been appointed as a Secretary or an Assistant Secretary of the Railway Board.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has only one minute more.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: Having admitted the fact of inadequate representation of the Muslim community in the establishment branches, the Railway Board some times back was pleased to observe and order that preponderance of any one community in the establishment of railway offices should be avoided. But with all this if figures are taken today of the establishment branches of the railway offices, it will be seen that the Muslim position is as hopeless as ever. In some of the most important offices of the establishment branch the existence of even a Muslim clerk has not been allowed.

Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Bhai Parma Nand (West Punjab: Non-Muhammadan): Sir, I would not have intervened in this debate but for the remarks of my Honourable friend, Maulana Shaukat Ali, in his speech yesterday. My Honourable friend referred to me as a brother communalist. I confess I am not ashamed of being called communal.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Brotherhood!

Bhai Parma Nand: But I want to point out that my communalism is not that communalism which is so often talked about. My communalism is purely defensive in its character. It has nothing of aggression or aggressiveness in it.

An Honourable Member: Your communalism is *Bhaism*.

Bhai Parma Nand: I shall explain my position and say how my communalism is defensive. I want to draw the attention of this Honourable House to the fact that all these years, when the Constitution of this country has been under discussion, the body which I represent has definitely proclaimed its position, and advocated that the Constitution, the machinery of Government and even our politics should be altogether dissociated from religion, kept free from communalism. We have been preaching and advocating this theory all along, and expressing our readiness to act upon it. Then, there came a time when we say that the Government, either forced by our Muslim friends or for certain reasons of their own, were determined to introduce communalism in the Constitution of this country. We did oppose it as best as we could, but we had to submit to it. Then, there came the stage when communalism was to be introduced in the machinery of Government. There were motions in the Assembly that Muslim representation should be fixed in all the public services. I should say that I for one opposed this move tooth and nail. I held that the services should be kept free altogether from this disease, this poison of communalism, because if that was introduced so deeply into society, it would mar our future and stop our social and political progress altogether.

Captain Sardar Sher Muhammad Khan (Nominated Non-Official): Untouchable Muslims.

Bhai Parma Nand: But Sir, we had to yield to that too, and then after the Communal Award of the British Government, we had another Order-in-Council issued by the Government of India fixing the communal proportion in services and in all departments under the control of the Government of India. In spite of all our opposition, we could not—at least speaking for myself—do anything, but had to submit to it.

Coming now to the main point, I believe everybody knows that the railways are a commercial concern.....

Mr. Muhammad Nauman (Patna and Chhota Nagpur *cum* Orissa: Muhammadan): If it is a commercial concern, all sorts of people should be there.

Bhai Parma Nand: I have never seen any commercial concern or any trading society adopting the theory of communal proportion. These concerns and trading companies should employ men who are best fitted for employment and whom they can make the best use of in order to make the concern profitable and successful. If we begin to discriminate on the basis of religion in a commercial concern, I doubt very much if that concern can ever succeed. Now, Sir, so far as the railways are concerned, a proportion for communal representation has been fixed. Even after that, it is very surprising that we see the cry raised that there is a paucity of Muslims in the railway services and that the Government are neglecting their rights. We all know that a special officer, Mr. Hassan, was appointed to investigate into the matter; he issued a report, which was laid before the Assembly and discussed. My point then was that if we took all the railway services, on an average about one-fifth was composed of Muslims. It should be remembered that Hindus first took to the railways: they took a great part in building the railways all over the country. In the Punjab, in the early days, when the North Western Railway came into being, neither Hindus nor Muslims were educated, and it was mostly the educated from Bengal who came and filled practically all the offices in the North.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official):..... and Anglo-Indians?

Bhai Parma Nand: I am referring to Bengal Hindus even if it be admitted that the Muslims have not got their full share of appointments according to the ratio of their population, whose fault is it? They went into other lines, for which they considered themselves more fit. They did not take to English education and remained backward. Naturally, they ought to suffer for their backwardness and wait till they are gradually taken into the railways.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): But we must help them.

Bhai Parma Nand: They are pressing their claims on Government, because Government listen to them following a policy of their own design. Let me take one simple example. There is the profession of law. It is not controlled by Government. Every body is free to enter into it. Till ten or fifteen years ago, there were very few Muhammadans in that profession in the Punjab. If they have taken to English education and come into the profession, no one would grudge them. In some districts of our

[Bhai Parma Nand.]

province, Muslims are leading lawyers and there are among them who have risen to high positions by their own efforts. We welcome this competition. We want them to rise and join us in all kinds of public services. But, Sir, we have a serious objection to this procedure, that a special officer should be appointed in order to look to the recruitment of one community in the services. But, in spite of that, . . .

The Honourable Sir Muhammad Zafrullah Khan: There is no special officer to look to the recruitment of one particular community in the service.

Bhai Parma Nand: What was that question and answer about then?

The Honourable Sir Muhammad Zafrullah Khan: The question was whether this officer was appointed to look after communal recruitment and the reply was, that as the work on the establishment side had increased considerably owing partly to the consideration that these returns had also to be looked into, the post of an additional Deputy Director of Establishment had to be created.

Bhai Parma Nand: So this was a part of his duty?

The Honourable Sir Muhammad Zafrullah Khan: Yes; but not with regard to any particular community: it is to see that the orders of the Government of India in this respect are carried into effect with regard to all communities.

Bhai Parma Nand: That is right, with special reference to the minorities; that was the order of the Government of India and he has to follow that order. I will just quote some instances to show how this order is being followed. My point is simply this. My friends, Maulana Shaukat Ali and other Muslim friends in the Assembly, ought to be satisfied that the Government have yielded not one step, not two, but three steps: Muslims have been given communal representation in the Constitution; they have been given communal representation in the services; and they have now been given communal representation in the commercial field also—a ratio has been fixed for the railways on which strict action is being taken; there is no doubt about it. Now, I want to bring to the notice of the Honourable Member for Commerce . . .

Maulana Shaukat Ali: On a point of a personal explanation, may I tell my brother that I have no faith in Government intervention on our behalf: I want to leave my case to the advocacy of Bhai Parma Nand.

Bhai Parma Nand: I had no mind to speak about it till now: but since the Maulana Sahib and his other friends are still talking about this paucity and yesterday he too supported the Honourable Member from Madras, I had to explain the other side. It is based on a well-known fact that for the last six or seven months advertisements have been appearing in the *Tribune* and other papers which say in plain words that no Hindu should apply for these posts. There were 19 vacancies for posts of guards. The proportion given was that there should be 14 Muslims, one Anglo-Indian and one Indian Christian or other minority communities, and 17 Muslims were taken.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member has got one minute more.

Bhai Parma Nand: Here I have got two or three cases: The *Tribune* of the 5th December last: applications invited for 85 vacancies for apprentices: proportion fixed is 54 Muslims. Parsis six, Christians six, and 19 other communities. The name "Hindu" of course must not be mentioned in any Government order. (Laughter.) That is the opinion of the Leader of the House. 54 posts means 64 per cent. Yesterday, the Honourable Sir Zafarullah Khan was telling us that 60 was the percentage fixed in the North Western Railway. Here is an advertisement saying that 54 posts or 64 per cent. should go to Muslims. Again, there is another advertisement on the 21st December last: it is for nine vacancies of foremen and assistant foremen: the communal proportions are five for Anglo-Indians, three for Parsis and others; and one for other communities—no place at all for the Hindus. Then, there is another advertisement issued by the Agent of the North Western Railway in the *Tribune*, dated the 27th December last, inviting applications for 50 vacancies in the station master's group in the following communal proportion: 34 for Muslims, i.e., 68 per cent., three for Europeans and Anglo-Indians, i.e., six per cent., for other minority communities—Indian Christians, Parsis and Sikhs six, and for others six. I want to impress upon the Honourable Member that Hindus are not mentioned at all in these advertisements: he should fix a certain percentage for the Hindus also. If 60 per cent. is to be fixed for Muslims in the North Western Railway, since the Hindus live also in that province and the railway runs through that province, why should he not fix a certain percentage for the Hindus as well? Let it be 10 or 20 or 30—any proportion he thinks fit, but something must be fixed. I have been informed by people who have served in the Railway Department, whose sons have served in that department and who have come to me and complained: "These are the conditions now obtaining: this is the reward that the Government are giving to us for our services for all these generations."

Mr. S. Satyamurti: You want to be slaves for ever!

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member will conclude his speech.

Bhai Parma Nand: My complaint is, there are more than enough Muslims in some departments of the railway. I take three departments. The total number of drivers on the North Western Railway is 863.....

Mr. Deputy President (Mr. Akhil Chandra Datta): The Chair would ask the Honourable Member to conclude his speech. He has exceeded his time.

Bhai Parma Nand: I do not speak often, Sir. I shall finish soon. Out of 863 drivers, 501 are Muslims and 114 only Hindus. Again, of the 729 shunters on the North Western Railway, Muslims are 509 and only 140 are Hindus. And, thirdly of the firemen whose total is 2,673, the Muslims are 1,801 and the Hindus are only 608. The inference is plain that the percentage of Muslims in all these departments is more than 60 per cent. I say, therefore, that this grumbling is useless. In time, the Muslims will also get to the higher posts, where even now there are no Hindus serving. I just want to mention one more point before I finish.....

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member must conclude his speech.

Bhai Parma Nand: Only one minute more, Sir.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member will kindly sit down.

Mr. Muhammad Nauman: Sir, in supporting the cut motion on the "Paucity of Muslims in Railway Services", brought by my Honourable friend, Mr. Piracha, I want to draw attention of the Government to only one fact that, in spite of our repeated requests and demands for adequate representation of Muslims, the progress has not been as satisfactory as we wanted or expected. Of course, Bhai Parma Nand has intervened to say that we should not have made the demand on a communal basis. Unfortunately, as the country is situated today, the idea of religion and sectarianism has a predominant influence on everybody's mind here. It is not that we relish it, but we are dragged into it for the reasons of selfish and communal mentality of other communities in India: we feel that we would not be secure unless proper representation is given to us on a communal basis everywhere, in administration and in services. Really it is unfortunate, and I do believe that communalism is hampering the progress and national growth of this country, and every day in India communal jealousies are dragging their land to a very much worse position, but, as things stand, we have to clamour for communal representation in the services. What I wish to point out is this that, in spite of the circulars issued by the Government and the frequent promises held out by them about five or six years ago, those promises have not been translated into action as yet. They say that, in regard to recruitments, they are trying to give us the required percentage, but I do not know why Government could not have taken steps to make up the required percentage within the shortest time possible by stopping the recruitment of the over-represented section, that is to say, to recruit members from those communities only which are not properly represented as against those who are over represented. This has already been done in Bihar and Orissa. In the registration department in Bihar and Orissa, the Muhammadans were over-represented, and actually for quite a few years recruitment of Muslims was stopped in that department by the order of the Executive Councillor there. Now, Sir, if such a thing was practised and made possible in one province, I do not see any reason why the Government of India also should not adopt the same method and do justice to those communities who are not properly represented.

Then, again, Sir, there are so many things on which the question of promotion rests, and I would ask the Honourable Member in charge to consider this aspect of the matter also seriously, because, even if Government give us the percentage fixed in initial recruitments of the services, that is hardly sufficient, because I feel that the division should be made on a money basis and not on the basis of number of posts. What I mean is this. If you recruit only Muslims in the grade of Rs. 10 to Rs. 200, and if you keep all the high salaried posts to members of others communities, the result will be that in spite of the fact that we may get our 25 per cent. or 30 per cent. proportions in the services, we would not be getting actually even five per cent. of the total salaries when the higher services are held by others. Therefore, I say that the division should be on money basis and not on the basis of number of men recruited in the services,

and, as such, the question of promotions to higher grades is equally essential.

Sir, whenever the question of representation of Muslims in the services was raised, the Government reply invariably was that suitable and qualified Muslims were not forthcoming, and consequently they could not be appointed in large numbers. In the year 1931, the Government, after investigating the matter through their officials, had to admit that properly qualified Muslims were available in sufficient numbers and that they were not given their due share in the services. May I say why it happened, either due to certain prejudices of other communities or to want of sufficient influence in high quarters. The percentages were fixed for the recruitment of members of the various communities, and the arrangement was worked up to some extent in regard to Muslims. Notwithstanding the strict orders issued by the Government in this connection, complaints are still pouring in and specially in the Company-managed railways to the effect that the Government orders are not being carried out to the extent they should have been and ways and means are devised to circumvent those orders. Sir, in the headquarters office of the North Western Railway, several posts of typists and stenographers were recently filled by non-Muslims without publishing any advertisement in the press. Besides, in the East Indian Railway section, their circular is absolutely ignored. 'I would request the Honourable Member in charge to kindly investigate and let me know if my informations are correct, that is to say, whether the posts of typists and stenographers have been filled up in that office by non-Muslims without properly advertising for those posts in the papers, although it was clearly and definitely stated by Government that they would always advertise for such posts and then give due and adequate share to Muslims. Direct recruitment in the accounts grade has been altogether stopped, and Muslim employees are being deprived of getting their due share of promotion. Vacancies in subordinate grades are being filled in by promoting non-Muslims from inferior grades. Another point on which many complaints have been made relates to promotions to higher grades and recruitments in the lowest grade of Rs. 16—20 for poor Muslims. Although the Government have admitted the fact that Muslims had not been given their due share in the service as yet, they do not realise that, in the matter of promotions, too, the rights of Muslims are also being trampled down. One of the main reasons urged to stop promotions is efficiency. Sir, the anomaly of the word "efficiency" is such as is difficult to understand. In my capacity as "Deputy President of the Railway Employees Muslim Association", I know specific cases of injustice, and I have the file here. Of course, I do not like to cite those specific instances in which promotions have been held back, although I have got a number of such specific instances with me which I can produce before the Honourable Member if I am called upon to do so. I consider, it is somewhat unpleasant to enumerate them here, but there are doubtless cases in which officers in the higher grade have either dragged down Muslim subordinates who should have been promoted or superseded them for no rhyme or reason. Personal whims and prejudice of these higher officers devise means to find fault with the Muslims in the name of 'efficiency'. One officer considers a subordinate as quite efficient, while the same subordinate is considered inefficient by another officer, and a third officer, again, certifies the same subordinate as perfectly efficient. Whether the subordinate was really "inefficient" or "efficient" is a matter of opinion based on no reasons except of favours. I do not know how this evil of prejudices can be removed in this country.

[Mr. Muhammad Nauman.]

As regards figures, Sir, my friend, Mr. Piracha, has already given figures exhaustively. Of the lamentable position of Muslims, and I do not want to take the time of the House by repeating those figures. The only point I wish to emphasise is that the Government should take into consideration the fact that the Muslim community does not at all feel satisfied with the method in which progress has been made in carrying out their orders up till now in respect of the representation of Muslims in the services, and we the Muslims feel that justice is not being meted out to us although promises have been held out a long time ago. Mr. Hayman, in the year 1930, when the Railway Budget was under discussion, gave us a definite undertaking to the effect that as many Muslims as were properly qualified under the rules laid down by the Railway Board would be appointed and that Muslims will meet justice unless Government rules were defective. We do not say that the rules are defective, but the procedure is defective, and we certainly feel that we have not secured the proper share of representation in the services as yet. Progress is slow and is in the hands of such officers of other communities who do not want to make it possible. This is what the Honourable Mr. Hayman remarked in 1930.

"I do not think the House would care, in view of the information I have given, to follow Mr. Ghuznavi through the figures he has quoted of the paucity of Muslim officers in our services. The paucity is there, because we began very late. We are out to do everything possible"

This was a definite promise made six years ago, and, so far as our experience goes, we find that the position remains, if not worse at least the same. I would, therefore, draw the attention of the Government to see that everything possible is done to meet out proper justice to Muslims by appointing properly qualified Muslims in the services in order to make up the proper percentage in the shortest possible time.

Sardar Sant Singh (West Punjab: Sikh): Sir, the Mover of this cut motion has my full sympathy in his honest efforts to improve the lot of his own community. I will like to add, if I may, that he should be equally as serious and persuasive in the discharge of his duties as a Member of this House when questions are raised in the House relating to the improvement of the economic condition of his community along with other sister communities of India. I hope that he will show the same zeal and the same zest when the Ottawa Agreement comes for discussion. We will judge him then whether he seeks for the cheap notoriety that such cuts gain, or he is really serious about the well-being and the economic condition of the great masses that cannot have the ambition of entering into Government service. The time is shortly coming to test him. Let me now make just a few observations on the particular subject before the House now.

I deliberately did not give notice of any cut motion in order to draw attention to the inadequate representation of the Sikhs in the railway services. My reason was that, during the last meeting of the Standing Railway Finance Committee, when the appointment of the Deputy Director of Establishment was considered, I put a simple question to the authorities whether the Railways were a commercial concern or a political concern. To such a question there could be only one reply, and that was that it was a commercial concern. Then I asked, why was it that the Railways are appointing officers to look after the interests of the minorities in the services, and why should there be fixed any proportion in the services at all

for the minorities in India in a commercial concern? There was a straightforward reply and I appreciated it. The reply was, that that was the policy dictated by the Home Department and the railways were bound to carry out the policy. My next question was, if the policy was dictated by the Home Department why should not the Home Department pay for that policy? In the proceedings of the last meeting of the Standing Railway Finance Committee, Honourable Members will be pleased to see the three reasons on account of which I opposed that particular appointment and one other appointment. I am sorry to find that the policy of benevolent neutrality towards the Communal Award and the Communal Service Award adopted by the Congress Party in this House, the policy of aggressive Muhammadanisation represented by my Honourable friend, Maulana Shaukat Ali,

An Honourable Member: The Maulana is a lamb, there is no aggression at all.

Maulana Shaukat Ali: I shall vote with you.

Sardar Sant Singh: . . . the policy of defensive communalism adopted by my Honourable friend, Bhai Parma Nand, leaves two communities, both minorities, to their own resources. The one is the Sikhs represented by Sardar Mangal Singh and myself in this House and the second is the Parsis represented by my Honourable friend, Sir Cowasji Jehangir and my Honourable friend, Sir H. P. Mody, who is absent today.

An Honourable Member: Dr. Dalal

Sardar Sant Singh: He is a Nominated Member. I believe neither in the policy of benevolent neutrality nor in a defensive communalistic policy. I am one of those who believe in the method adopted by Euclid in propounding his propositions. The evils of communalism can only be appreciated and its effects fully realised by the administration and even by the communities concerned who are taking advantage of that, when this communalism has been taken to that pitch where the whole thing will appear as absurd,—*reductio ad absurdum*, as Euclid calls it. After all, per cent. cannot be more than 100. How can any administration on the face of the earth provide Anglo-Indians with their Knight defender, Sir Henry Gidney, who makes an annual pilgrimage to England and who claims a divine right for his community in the railways

Lieut.-Colonel Sir Henry Gidney: Why can't you do the same? Can you?

Sardar Sant Singh: They are not content with percentage of their population. They want some weightage.

Lieut.-Colonel Sir Henry Gidney: We do not want any weightage.

Sardar Sant Singh: If it is going to be population basis, 100 will be 100, but if we are going to give weightage, 100 must be 120 or 140, by the clever jugglery and manipulation of figures by some clever Member of the Finance Department.

An Honourable Member: In then case, one is equal to *sava* lakhs.

Sardar Sant Singh: Yes, one is equal to *sava* lakhs. So long as this Communal Award remains, as long as it is supplemented by the Communal Service Award, there can be no such thing as honesty in the administration of any commercial concern or of any department of the Government. I am here to state, and I challenge somebody to disprove it,—how can you call the Railway Department a commercial concern when political considerations intervene in its formation and in its carrying out its duties? For about two years efforts have been made to give more posts to one favoured community. May I ask how can that be done except at the expense of some other community? That other community must suffer. An injustice to the other community is involved in the very conception of the idea of weightage. Does the Government mean to perpetuate injustice? Then the best method would be a cut and dried method. Take a note of the different establishments in the departments, and fix a proportion. Turn out all those, whether they have done ten years, or 15 years or 20 years, service—who are not of the particular community, put others in several grades and be done with that once for all. That guillotine will serve you much better. It will leave less poison in the country than you are doing now. The man that suffers owing to injustice done to his right by his superior carries a grievance against the Government and becomes the deadliest enemy in his heart of hearts. My Honourable friends over there may like it because they want that the country should be filled with grievances

Mr. M. Asaf Ali (Delhi: General): A seething cauldron of indignation!

Lieut.-Colonel Sir Henry Gidney: Why not practise what you screech in the Punjab?

Sardar Sant Singh: We do not permit Anglo-Indians to come in our way.

Lieut.-Colonel Sir Henry Gidney: Nor do we permit you to take our railway jobs away.

Sardar Sant Singh: My point, therefore, is if there is to be a settlement of the communal problem, that settlement will have to be based upon some principles of justice, equity and good conscience. That principle has not yet been discovered by the Government of India. Even our super-politically conscious, economically superior friends the Parsis, who are represented by my Honourable friend, Sir Cowasji Jehangir,—noticed the lengths to which the weightage was going and were in a moment of despair, enquired—what about Parsis' representation in the services? A time will come when every community will demand its just quota in the services of the land. What will you do then? Therefore I will suggest that the policy underlying the Communal Award should be revised at the earliest opportunity. I am myself thinking of giving a drastic cut in the General Budget relating to the Home Department, which is responsible for this policy and then I will discuss the whole question with the Government. At this stage I must say that the Muslims should have some regard for the feelings of other communities..

They are going ahead with a greater speed than is desirable. We, Sikhs, who are only 14 per cent. in the Punjab are not given our population share even. I challenge the Honourable the Railway Member to tell me if he can prove that in the Punjab, on the North Western Railway, the Sikhs in the railway employment are even equal to the population basis.

Captain Sardar Sher Muhammad Khan: Much more.

Sardar Sant Singh: I do not want irresponsible remarks from the representative of the Army. My submission is that we are actually waiting for the time when Government will find themselves in difficulties and will revise their policy.

An Honourable Member: You have more people in the Army.

Sardar Sant Singh: If the Government were to give this undertaking that we will get in the Army what we had in 1912 and 1918, I will be satisfied to leave the railway.

An Honourable Member: Will you join the Army?

Sardar Sant Singh: I will join and I will ask my sons to join. I will conclude my speech by saying that the Honourable the Railway Member should guard himself against the inroads made by one community on his equitable and just principles. Therefore, I oppose this motion.

Captain Sardar Sher Muhammad Khan: I did not want to intervene in this debate but on account of my friends, Sardar Sant Singh and Bhai Parma Nand, I have got to say a few words. My friends said that the railway is a commercial concern and, therefore, why introduce communalism into the railway? If railway is a commercial concern, is the Honourable Sir Muhammad Zafrullah Khan a director or manager or is he a Member of the Cabinet of the Governor General of India? When a Railway Department is run by a Cabinet Member of the Government of India, it is not really a commercial concern, though in one sense it is a commercial concern. This railway service is just like any other service under the Government. Therefore, this argument cannot be accepted. The second argument advanced by my friend, Bhai Parma Nand, is that he does not find the word 'Hindu' in the railway service. If he just looks behind the Honourable the Railway Member, he will find Hindus. If he looks towards the official gallery, he will find Hindus there. Now, we must face facts. In the North Western Railway, I must admit that the Agent or the authorities in the Punjab are really doing their level best to bring the minority community who are not represented in the railway service up to its proper level.

Bhai Parma Nand: Are they not represented in the Army much more than their percentage?

Captain Sardar Sher Muhammad Khan: In the month before, on the North Western Railway, I have seen an advertisement in the papers that they wanted to fill 50 vacancies of the grade of station masters and assistant station masters and they distinctly laid down that 35 vacancies

[Captain Sardar Sher Muhammad Khan.]

should go to Muslims. Similarly there was another advertisement, in the commercial group there were 35 vacancies and out of these 12 or 14 were to go to Muslims. I do not know about the position in other railways, but in the North Western Railway, where the Muslims form 80 per cent. nearly, the railway authorities are doing their best to redress the grievances of the minorities. My friend, Sardar Sant Singh, whenever he gets a chance, asks about the Communal Award. He says he will move a drastic cut. But he knows very well who is to blame for this Communal Award. Sir Henry Gidney will bear me out when I say that he knows very well whose fault it is, if the Communal Award was made. With these words I support the motion.

[At this stage. Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

The Honourable Sir Muhammad Zafrullah Khan: I made the position clear with regard to these matters when I replied to the cut motion regarding the paucity of Muslims on the Madras and Southern Mahratta and the South Indian Railways yesterday. I have not the slightest desire to follow Honourable Members into the arguments that they have put forward. As I said yesterday, apart from the merits of the controversy one way or the other, I am bound by the orders that have been issued by the Government of India in connection with this matter. I have explained what these orders are. My responsibility is to see that those orders are carried out. I have no power to enlarge the scope of those orders, nor will any kind of pressure induce me to do so. On the other hand I have every intention that I shall take all reasonable and possible steps to enforce them.

Khan Bahadur Shaikh Fazl-i-Haq Piracha: In view of the statement just made, I want to withdraw my motion.

The motion was, by leave of the Assembly, withdrawn.

Policy of contracts on the North Western Railway—Contracts for loading and unloading, for coolies and for refreshments.

Mr. H. M. Abdullah (West Central Punjab: Muhammadan): I beg to move:

“That the demand under the head ‘Railway Board’ be reduced by Rs. 100.”

Sir, this cut is proposed in order to bring to the notice of the Government the step-motherly treatment meted out to Muslim contractors in the matter of giving out Railway contracts on the North Western Railway

Sardar Sant Singh: I rise to a point of order, Sir. The motion relates to the policy of contracts on the North Western Railway for loading and unloading. In my opinion, this motion can discuss only the policy underlying it—not the communal policy, but the general policy of the administration. The contracts are for loading and unloading.

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Mr. H. M. Abdullah: First of all, I take the contract for the sale of ice and aerated waters

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, on a point of order. Can that be taken,—the question of the contract for the sale of ice and aerated waters on the North Western Railway, on this? This motion refers to the contract for loading and unloading. He should restrict himself to that? He is speaking also on motion No. 116?

Mr. H. M. Abdullah: Sir, the North Western Railway was originally divided into three sections for the purpose of these contracts, but as the arrangements proved unsatisfactory, the line was divided into four sections. But now again the authorities, I understand, propose to amalgamate the four sections into three, though the four-section system has worked quite satisfactorily for the last fifteen years. How far is this advisable, Sir? May I know, Sir, whether the findings of the authorities then in 1922 were wrong, about the unsatisfactory working of the three-section system, or the authorities intend to enjoy the pleasure of trying again what has already been fully tried at the cost of the public tax-payer? There had been one Muslim contractor, out of the four, that is, twenty-five per cent. when the percentages of the population through which the North Western Railway runs were neither worked out nor fixed, but now, when the Government have realized the genuineness of the grievances with regard to the Muslim rights, and have fixed the percentages, this twenty-five per cent. portion, in the case of contracts for the sale of ice and aerated waters on the North Western Railway has been withdrawn

Mr. Lalchand Navalrai: Sir, on a point of order, the Honourable Member is again referring to ice and aerated waters. (Laughter.)

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on.

Mr. Lalchand Navalrai: Sir, I want to make myself understood to the Chair and my point is this. My Honourable friend said that he is moving the cut No. 117 which refers to the policy of contracts on the North Western Railway for loading and unloading, for coolies and for refreshments, but he has begun his speech by speaking on motion No. 116 which refers to contracts for the sale of ice and aerated waters. He has been up to now speaking on that

Mr. President (The Honourable Sir Abdur Rahim): I suppose aerated waters are some sort of refreshment. (Laughter.)

Mr. H. M. Abdullah: . . . as there was not a single Muslim contractor out of the three at the close of 1935. This has been simply due to the preponderance of the non-Muslims in the railway administration. Sir, sometimes tenders are even not called for so as not to give a chance to the Muslim contractors, as has in fact happened this year. The contracts are again being given to those non-Muslims who held them before. Whenever tenders are even invited, the Muslims are not treated fairly, as a result of which almost all the contracts are given away to non-Muslims. Thus the authorities trample over the rights of the Muslims

[Mr. H. M. Abdullah.]

in this respect Unfortunately, the Muslim contractors are not allowed to supply these things to their Muslim brethren, who form a clear majority in the population of the areas through which the North Western Railway runs.

Babu Baijnath Bajoria (Marwari Association : Indian Commerce): You want a "percentage" even in contracts?

Mr. H. M. Abdullah: Yes How can the Government justify their action for the exclusion of the Muslim contractors from their legitimate right and privilege of serving their fellow-Muslim passengers travelling on the North Western Railway?

Bhai Parma Nand: Did not they submit their tenders?

Mr. H. M. Abdullah: No tenders were invited. As the new contracts for 1936 are being considered by the North Western Railway authorities and are to be finally settled by the 15th of March, 1936, immediate intervention of the Government is required to enable the Muslims to have their due share in these contracts. It is suggested, therefore, that the original four section scheme should not be replaced by a three section system. Under the circumstances it would be justified, in the name of bare justice, that the Government should adopt means to enable Muslims to get the contract for at least one section, for the current year 1936, if it is not considered possible at present to give the Muslims their due share in these contracts. For the future, the Government are requested to give the contracts for two sections out of four sections to the Muslims. And, further, such contracts should be for a period of one year only. Sir, the second point to which I draw the attention of the Government is the favouritism shown by the authorities in regard to the contracts for loading and unloading, for coolies and for refreshments. In connection with loading and unloading contracts, there is a paucity of Muslim contractors. In addition to this, neither tenders are invited, nor any specific time is fixed, for the duration of these contracts. How far this method is commendable in the eyes of the Government is a matter that I humbly submit for your consideration, Sir. Sir, the Government should adopt means to see that the favouritism shown to the non-Muslims should be discontinued by fixing a specific period for the tenure of these contracts, and while giving these contracts again the interests of the Muslims should be safeguarded, by giving them their *due share*. The third point is that the present arrangements for the supply of coolies for the removal of the luggage of the travelling public from and to the trains and *tonga* sheds is most objectionable, from the point of view of the public comfort. As a matter of fact there does not appear to exist any satisfactory arrangement for the supply of these coolies. The Government Servants' Conduct Rules specifically lay down that the Government servants are not allowed to be connected with any business directly or indirectly, but strange are the ways of the North Western Railway administration that the Station Superintendents and the Station Master are also made to work indirectly as the contractors for the supply of coolies at their stations in contravention of the Government Servants' Conduct Rules. Such officers get their coolies under the management of the Jamadars who are active

partners in their lucrative business. The main defect of the present arrangement is that when the passengers complain about the misbehaviour of the coolies towards them, they are not in a position to take any action against the coolies. The passenger is put off on some flimsy pretexts to protect their own interest in order to escape the disclosure of mismanagement caused by themselves. Consequently there is no independent responsible person to whom the passengers may report and get their grievances redressed.

As regards contracts for refreshments, there are certain stations where the contractors of one community alone are being favoured to supply the refreshments to all the communities. For instance, the Government might be aware of the state of affairs at Amritsar and Delhi stations. At Amritsar there is a Hindu contractor while at Delhi there is a Christian contractor. Such contractors indirectly sublet their contracts to Hindu or Muslim vendors with the result that the travelling public do not get proper food as these sub-contractors have to pay a fixed monthly amount to the holder of the contract in addition to their own profits.

In conclusion, I wish to say that the Muslims are not getting their fair and proper share in these contracts.

I would request the Honourable Member for Commerce and Railways to look into this matter and try to redress the grievances of the Muslim public.

Mr. President (The Honourable Sir Abdur Rahim). Cut motion moved:

"That the demand under the head 'Railway Board' be reduced by Rs. 100."

Mr. Lalchand Navalrai: Sir, I am sorry I cannot see eye to eye with my Honourable friend who has introduced this communal bias even in the matter of contracts. Sir, we have enough of communal representations and communal questions in other spheres, but here we find an Honourable Member coming forward to embarrass the Honourable Member for Commerce and Railways even in questions of giving out contracts. Now, no one can say that there is any Regulation or Resolution of the Government or of the Railway Board directing that contracts should be given on communal basis or that one party should take it only on the ground that he is a Muslim or a Hindu or a Christian. The point at issue is this: should these contracts be given by favours or on account of certain concessions or that they should be given on a just and right basis.

The Honourable Sir Muhammad Zafrullah Khan: The point of the Honourable the Mover of this motion is that these contracts are given on a communal basis.

Mr. Lalchand Navalrai: I say, they are not. I will explain presently.

The Honourable Sir Muhammad Zafrullah Khan: I am glad to hear that from the Honourable Member.

Mr. Lalchand Navalrai: My Honourable friend, the Mover of the cut motion, seems to want that the contracts should be given in such a manner that even the highest bidder should not get it, but that it should be given on communal considerations to any man whatever be the sum which he bids for the contract. This is what it comes to. Suppose a Muslim contractor wants to bid only for Rs. 500 whereas another man belonging to another community prepares to bid for Rs. 1,000—then if you introduce the communal principle, you have to give the contract only to the Muslim although his bid is less than the other one and in this way the railway administration would surely lose a lot of money.

The Honourable Sir Muhammad Zafrullah Khan: What is the point which the Honourable Member is trying to make? Does he mean that these contractors pay these amounts to the officers?

Mr. Lalchand Navalrai: They do not pay these officers.

The Honourable Sir Muhammad Zafrullah Khan: How does the question of payment arise then?

Mr. Lalchand Navalrai: When the Honourable Member goes round *in cognito*, as he says he does, he would see what takes place. He would see things for himself.

The Honourable Sir Muhammad Zafrullah Khan: That is what I am asking him. Whom do they pay?

Mr. Lalchand Navalrai: The Honourable Member has misunderstood me. I will make it clear. My point is by way of an illustration that if tenders are called for and supposing a Muslim tender is for Rs. 500 and a non-Muslim tender is for Rs. 1,000... ..

Some Honourable Members: No tender is called for.

The Honourable Sir Muhammad Zafrullah Khan: They would ask for rates. Do you mean to say that a soda water vendor would quote Rs. 500 for a bottle of soda.

Mr. Lalchand Navalrai: Supposing a Muslim vendor quotes a certain rate which is heavier than the rates quoted by a non-Muslim, to whom are you going to give the contract?

The Honourable the Mover of the motion said there were four sections of giving contracts, but now they have been made into three. The point is this, formerly, two years back, there were four. The contract for two men was for a smaller distance and to others for longer distance. Now, it seems they have so arranged that one man has been given two smaller portions put together. For instance from Lahore to Karachi, for a distance of 755 miles, permission to sell ice and aerated water has been given to one contractor. Formerly, there were two contractors, from Lahore to Delhi, *via* the main line, a distance of 349 miles and from Lahore to Delhi *via* Bhatinda a distance of 296 miles respectively and both put together come to 645 miles for which contract has been given to one man, just as at Karachi which covers a distance of 755 miles and has been given to one man. Where is the injustice? I submit, therefore, that on matters such as these the Honourable the Mover of the cut motion should avoid bringing communal controversy in the question of giving contracts.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member in charge has not had any opportunity to reply to the
 5 P.M. motion. It being five of the Clock, all the motions have to be put now. The Chair, therefore, wishes to know whether the Honourable the Mover of the amendment desires this motion to be put to the House or whether he would like to withdraw his motion.

Mr. H. M. Abdullah: Sir, I beg to withdraw the motion.

The motion was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a reduced sum not exceeding Rs. 8,79,700 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Railway Board'."

The motion was adopted.

DEMAND No. 2—AUDIT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 14,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 3—MISCELLANEOUS EXPENDITURE.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 11,40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Miscellaneous Expenditure'."

The motion was adopted.

DEMAND No. 4—REFUNDS

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 12,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Refunds'."

The motion was adopted.

DEMAND No. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,07,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Payments to Indian States and Companies'."

The motion was adopted.

DEMAND No. 6-A—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 8,67,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Maintenance of Structural Works'."

The motion was adopted.

DEMAND No. 6-B—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF LOCOMOTIVE POWER.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 16,80,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Maintenance and Supply of Locomotive Power'."

The motion was adopted.

DEMAND No. 6-C—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON STOCK.

Mr. President (The Honourable Sir Abdur Rahim). The question is:

"That a sum not exceeding Rs. 6,19,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Maintenance of Carriage and Wagon Stock'."

The motion was adopted.

DEMAND No. 6-D—WORKING EXPENSES—MAINTENANCE OF FERRY STEAMERS AND HARBOURS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 28,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Maintenance of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND No. 6-E—WORKING EXPENSES—EXPENSES OF TRAFFIC DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is

"That a reduced sum not exceeding Rs. 10,79,99,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Expenses of Traffic Department'."

The motion was adopted.

DEMAND No 6-F—WORKING EXPENSES—EXPENSES OF GENERAL DEPARTMENTS.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,65,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND No. 6-G—WORKING EXPENSES—MISCELLANEOUS EXPENSES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 4,22,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND No 6-H—WORKING EXPENSES—ELECTRIC SERVICE DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 1,19,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Electric Service Department'."

The motion was adopted.

DEMAND No. 7—WORKING EXPENSES—APPROPRIATION TO DEPRECIATION FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 13,28,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Working Expenses—Appropriation to Depreciation Fund'."

The motion was adopted.

DEMAND No. 8—INTEREST CHARGES.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 2,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Interest Charges'."

The motion was adopted

DEMAND No. 9—TEMPORARY WITHDRAWALS FROM DEPRECIATION FUND.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That a sum not exceeding Rs. 3,44,44,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Temporary Withdrawals from Depreciation Fund'."

The motion was adopted

DEMAND No. 11—NEW CONSTRUCTION.

Mr. President (The Honourable Sir Abdur Rahim): The question is :

"That a sum not exceeding Rs. 23,60,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'New Construction'."

The motion was adopted.

DEMAND No 12—OPEN LINE WORKS.

Mr. President (The Honourable Sir Abdur Rahim): The question is :

"That a sum not exceeding Rs. 9,99,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1937, in respect of 'Open Line Works' "

The motion was adopted.

RULING *RE* BREACH OF PRIVILEGES OF THE HOUSE.

DEMAND OF A SECURITY FROM THE PUBLISHER OF THE *ABHYUDAYA* OF ALLAHABAD FOR PUBLISHING A SPEECH DELIVERED IN THE LEGISLATIVE ASSEMBLY.

Mr. President (The Honourable Sir Abdur Rahim): The Governor in Council of the United Provinces passed an order dated the 10th January, 1936, under sub-section (3) of section 7 of the Indian Press (Emergency Powers) Act of 1931 (Act No. XXIII of 1931), requiring the publisher of the *Abhyudaya* of Allahabad to deposit security, because that paper had published an article headed "Assembly men Pandit Krishna Kant ji ki Baktrita" (Speech of Pandit Krishna Kant in the Assembly) containing words of the nature described in sub-section (1) (b) section 4 of the above Act, viz., "directly or indirectly expressing approval or admiration of any such offence (*i.e.*, the offence of murder or any cognisable offence involving violence) or of any person, real or fictitious, who has committed or is alleged or represented to have committed any such offence". Sardar Sant Singh, thereupon, gave notice of a motion for adjournment of the business of the Assembly on the 3rd February, 1936, to discuss this order of the U. P. Government as being a definite matter of urgent public importance. That motion was disallowed by the Governor General under Rule 22 (2) on the ground that it related to a matter which was not primarily the concern of the Governor General in Council. On the 5th February, he gave another notice of a similar motion for adjournment, this time in order to raise the question of "the encroachment of the privilege of the members of the Legislatures to publish their speeches in *verbatim*", *i.e.*, in newspapers. On objection being taken on point of order by the Leader of the House, I disallowed the motion, firstly on the ground that a question of privilege cannot be discussed on a motion for adjournment and, secondly, that the notice of the motion ought to have been given at the earliest possible opportunity.

The same Honourable Member next sought to move the motion under consideration on the 10th February, the motion being that the Assembly do proceed to discuss the question of the privilege of freedom of speech and its publication in the press enjoyed by the Members of the Assembly, adding that "no notice is necessary to discuss the question of privilege and that such motion has precedence over all other work in the House". As the question raised regarding privilege of the Assembly and

its members and the appropriate procedure in such matters are of considerable importance, I allowed the points of order raised (including the question whether a motion of adjournment is the proper procedure) to be discussed at some length.

I shall take up the questions relating to procedure first.

(1) A motion for adjournment under Rule 11 is not the proper procedure for raising a question of privilege pure and simple. This was also the view of President Patel (*vide* Ruling No. 44, dated 4th September, 1928, pp. 44—48 in "Selections from the Decisions from the Chair"). Ordinarily the object of a motion for adjourning the business of the Assembly is to discuss and criticise the conduct or attitude of the Government in a definite matter of urgent public importance, while in a case, where the question of privilege is raised as the main issue (as in the second motion of Sardar Sant Singh and in the case which Mr. Patel had to deal with) the Assembly would be asked to take such suitable action as is within its competence in order to protect the members from interference and molestation in the discharge of their duties or to uphold the dignity of the legislature. But, if the question of privilege raised is a definite matter of urgent public importance, which is also primarily the concern of the Governor General in Council, and the main object of the motion is to discuss and criticise the conduct of the Government in the matter, it can be dealt with by a motion for adjournment, subject of course to the restrictions and limitation laid down by the rules and standing orders in that connection. (*See* the cases of Mr. S. C. Mitra and of Mr. S. C. Bose, Legislative Assembly Debates, dated 21st January, 1927, and 22nd January, 1935, respectively.)

(2) A Resolution under S. O. 59 and Rule 23 is clearly not an appropriate procedure for discussing a matter of breach of privilege, when the question is sought to be raised by a non-official member, for resolutions by non-official members have to be balloted for and there is no knowing what place a particular resolution may secure. Nor can such a resolution be moved except on a non-official day, while, as pointed out by the Law Member himself, the question of privilege must be raised as soon as possible. But if the Government wish to bring up a matter of privilege by a resolution, there need be no such difficulty in their case on the score of delay. Further, by rule 23, every resolution must be in the form of a specific recommendation to the Governor General in Council. While there may be cases in which such a recommendation may meet the exigencies of the situation, in others, the appropriate remedy may lie in the hands of the Legislature itself.

(3) Rule 24A. This rule permits discussion of any matter of "general public interest" otherwise than by a resolution, provided consent is obtained to a motion for such purpose of the President and the member of the Government to whose department the motion relates. In the present case and cases of like character, namely those that are matters of general public interest, I take it, as stated by the Law Member, in answer to a question asked by Sir Muhammad Yakub, that the Home Member would deal with the motion. But it is conceivable that a motion raising the question of privilege may be such that it may not relate to any department of the Government. As for the misgiving which seemed to trouble the minds of some members, I cannot, in interpreting Rule 24A, proceed

[Mr. President.]

likely to withhold his consent in a proper case. I, therefore, hold that a question of privilege of the nature involved in this notice can be discussed on a motion moved under the provisions of Rule 24A. Sardar Sant Singh, however, has brought the motion under consideration without conforming to the requirements of that rule, though the question sought to be discussed is a matter of general public interest.

(4) Sardar Sant Singh has based this motion on the practice and precedents of British Parliament. No doubt we often have recourse to Parliamentary practice for guidance, whenever our own rules and standing orders are silent. But Rule 24A explicitly bars such a motion as this, as it is neither a resolution under S. O. 59 of the Manual of Business nor does it conform to the requirements of Rule 24A. I must, however, observe that this rule may not bar a question of privilege being discussed on a motion brought otherwise than in conformity with the provisions of Rule 24A or by a resolution, if the subject matter of the motion cannot be said to be a matter of "general public interest", or if it cannot be said to relate to the department of any member of the Government.

(5) Another difficulty has been suggested by the Honourable the Law Member, viz., that motion by a non-official member, even though with a view to discuss a question of privilege, can only be dealt with on a non-official day. But a question of privilege affects every session of the Assembly and once it is brought to the notice of the House by any member, whether official or non-official, it becomes the business of the entire house and, as is the practice in Parliament, it must be given precedence over all other business, supposing it is of the last mentioned category. In any event, since questions of privilege are undoubtedly of considerable importance to the Assembly and are of an urgent nature as stressed by the Leader of the House, and no provision is made for business of this class in the rules and standing orders, it may well be expected of Government to find time for this purpose.

(6) Whether a motion of this character is brought under Rule 24A or, in a proper case, is brought in accordance with the practice of Parliament, the President, before he gives his consent or allows the question to be discussed by the House, must be satisfied that a *prima facie* case of privilege has been made out. I may also point out that when such a case is made out, it will be generally found desirable to refer it to a committee of the nature of a Select Committee appointed for the purpose or to a Committee of Privileges appointed at the commencement of each session as is the present practice in the House of Commons and then upon its report discuss it in the House.

I am sure the House generally will recognise the importance of protecting the honour and privilege of the Legislature. The Legislature is undoubtedly a most important instrument of Government even under the present constitution and, unless effective means are provided by which members can be assured to carry on their deliberations in the chamber without interference and molestation and the dignity of the Legislature is duly protected from outside attacks, it cannot be expected to function to the best advantage. The Assembly and the Government may perhaps consider whether the rules and standing orders (especially Rules 24A and 6) should not be suitably amended, so that such difficulties as exist at present, and have been emphasised by the Honourable the Law Member, in the way of raising a question of privilege, may be removed.

I now come to the substantive question, what is the nature and extent of freedom of speech, which the members of the Legislature enjoy and which is alleged to have been infringed by the order in question of the United Provinces Government. Has a *prima facie* case of privilege been made out, that is, whether the report of the speech of Pandit Krishna Kant Malaviya published in the newspaper *Abhyudaya* (which, I understand, is owned and published by the member himself) is privileged, so that the action of the United Provinces Government must be regarded as an infringement of the privilege of the Assembly or the individual member concerned?

Section 67, sub-section (7) of the Government of India Act lays down that:

"Subject to the rules and standing orders affecting the chamber, there shall be freedom of speech in both chambers of the Indian Legislature. No person shall be liable to any proceedings in any court by reason of his speech or vote in either chamber or by reason of anything contained in any official report of the proceedings of either chamber."

The privilege which is enunciated here does not go further than to exempt a member of the Assembly from any proceedings in any court of law by reason of his speech or vote in the chamber or by reason of anything contained in any official report of the proceedings. It does not purport to protect publication of any such speech in other than official reports, *e.g.*, in a newspaper, however faithful or *bona fide* such publication may be. It has been argued, however, by the Leader of the Opposition and the Leader of the Independent Party that I should hold that the freedom of speech in the Chamber entails as a corollary that the publication of the speech of a member in a newspaper is also privileged. But, having regard to the unambiguous terms in which the limitations of that freedom of speech has been defined in the statute, it is impossible for me to extend the privilege to publications other than the official reports. The law in England is substantially the same as that embodied in section 67, sub-section (7) of the Government of India Act.

Of the English cases to which I have been referred bearing upon the point. I find that in Lord Abingdon's case all that is laid down is that a Member of Parliament has certainly a right to publish his speech but, if the speech is made a vehicle of slander against any individual he would be liable. Similarly, in Mr. Creevey's case where a correct report was sent by a Member of Parliament to the Editor of a newspaper with the request that he should publish it, that publication was held not to be privileged and as the report contained a charge against an individual in the House, Mr. Creevey was found guilty of libel. In Mr. Wason's case the Lord Chief Justice of England laid down "If a member publishes his own speech reflecting upon the character of another person, and omits to publish the rest of the debate, the publication would not be fair, and so would not be privileged: but that a fair and faithful report of the *whole debate* would not be actionable." But having regard to the language of section 67 (7) of the Government of India Act, even a fair and faithful report of the whole debate, except in the official reports, is not protected. In any event, in the present case, the whole of the debate, in the course of which Pandit Krishna Kant Malaviya made the speech in question, was not published. Erskine May correctly summarises the extent of privilege of a Member in these words: "If a member published his speech, his printed statement becomes a separate publication unconnected with any proceedings in Parliament."

[Mr. President.]

If any action had been taken in any court against Pandit Krishna Kant Malaviya for publishing his speech in the *Abhyudaya*, he could not plead privilege as a defence to such action, whether such action was taken in a criminal or civil court. But both Mr. Jinnah and Mr. Bhulabhai Desai argued that executive action stands on a different footing to action in a court. But such action would not raise a question of privilege whereas in this case the publication is not privileged. I must further point out that the action of the United Provinces Government was taken under certain statutory powers vested in that Government and if privilege had been made out, that fact would have entailed interpretation of section 67 (7) side by side with the Indian Press (Emergency Powers) Act before a decision could be arrived at whether there has been a breach of privilege or not.

I have all along assumed that the legislature and the members of the legislature have certain privileges of which freedom of speech in the chamber is one of the most important. I have also assumed that on a motion raising a question of privilege the legislature would be in a position, if a proper case were made out, to find some means of dealing with the situation arising out of the breach of such privilege.

The British Parliament, by constant assertion from ancient times, has acquired the status of a high court in all matters affecting its own privileges and those of its members, so that it is called the High Court of Parliament and, like other high courts, the Parliament exercises powers to inflict penalties and punishment for "contempt". It has for a long time exercised such powers through its own officers, the Sergeant-at-Arms and the Black Rod to arrest offenders, punish them with imprisonment in the Tower and the Newgate and the right at least of the House of Lords as a court of Record also to impose fines in such cases has not been questioned. There were conflicts at times between the Parliament and the ordinary courts, particularly the King's Bench, and though some of the punitive and disciplinary functions once exercised by it have now fallen into desuetude, the Parliament still possesses considerable punitive and disciplinary powers. No such powers have been vested in our legislatures by the Government of India Act creating them and I also find that section 28 of the Government of India Act, 1935, forbids the enacting of any law conferring on the Federal Legislature punitive or disciplinary powers or the status of a court other than a power to remove or exclude persons infringing the rules or standing orders or otherwise behaving in a disorderly manner. The same section, I may also mention, defines in sub-section (1) the freedom of speech in the legislature in the same terms as section 67—sub-section (7) of the present Government of India Act, and by sub-section (2) it empowers the Federal Legislature to define the privileges of the members of the Legislature and until that is done those privileges will be such as are enjoyed by the members of the Indian Legislature at present. The extent of those privileges may be briefly indicated in general terms as being such as are necessary for the proper discharge of their duties by the members in the Council Chamber. In addition to the President exercising such powers as have been conferred on him by the Rules and Standing Orders, the House itself, when a breach of privilege is made out, can always, upon a proper motion, express its condemnation and, in suitable cases, make such recommendation to the Governor General in Council as it thinks fit.

The motion of Sardar Sant Singh for the reasons already mentioned is disallowed.

STATEMENT OF BUSINESS.

The Honourable Sir Nripendra Sircar (Leader of the House): May I have your permission, Sir, to make a statement about business on the 4th of March? I have received a communication from one of the Members of the House that as that day precedes the day of *Id* the Assembly ought to be closed on that day. In that letter there is a statement that on the last occasion I agreed to such a course. That is rather inaccurate. What happened was this: as the proceedings will show (page 1235) it was represented to the House that as the *Haj* day had fallen on a Friday and that it happens once in 11 years, and that it was a particularly sacred day: upon that I said I have no objection to the House not sitting. But I do not want to be dragged into any question as to whether the day preceding the *Id* is a sacred day or not. That after all is a matter for other people to judge. I want to make the position of the Government clear in this matter. If the House is of opinion that they would not sit on the 4th, then we have no other alternative but to ask them to sit on the 2nd, although we know that that would be extremely inconvenient as they will have no time to prepare for their budget discussion. I, therefore, leave it to the House to decide as to whether they want to sit on the 4th or on the 2nd. This House has never been closed on the day preceding *Id*. I am mentioning it today so that Honourable Members may have time to think over the matter and express their views tomorrow before we come to any conclusion.

Mr. President (The Honourable Sir Abdur Rahim): Following the usual practice, I adjourn the House till 5 p.m. tomorrow when the Honourable the Finance Member will make his budget speech. There will be no questions tomorrow.

The Assembly then adjourned till Five of the Clock on Friday, the 28th February, 1936.

